

EXECUTIVE SUMMARY ON THE I MEETING OF THE WORKING
GROUP ON BUSINESS VISAS

ASSOCIATION OF CARIBBEAN STATES (ACS)

Port of Spain, Republic of Trinidad and Tobago

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Port-of-Spain, Trinidad and Tobago, 25 January 2013

The I Meeting of the Working Group on Business Visas was held on 25th January 2013, to provide a forum for discussion on strategies that can be implemented in order to achieve an ideal environment for trade and investment, with emphasis on the ease of obtaining business visas. The meeting was chaired by the Republic of Guatemala in its capacity of Vice Chair of the Special Committee on Trade, represented by H.E. Ambassador Dr. Guisela Godinez Sazo. The meeting also served to identify existing obstacles in the bureaucratic procedure for obtaining the relevant documentation permitting the business and investment community to legally operate in the ACS region.

III: Report on Analysis of Country Questionnaires

The Director of Trade Ms Ariadna Perez presented the report on the findings and analysis of the information obtained in the country questionnaires. (Attached **ACS/2013/TRADEBusinessVisasWorkingGroup.I/WP.003**)

The results of the questionnaires highlighted the differences and similarities in the immigration law specific to the obtainment of business visas. Of the six (6) Member States that completed the questionnaires, two (2) do not issue business visas, with no legal accommodations for such visitors. St. Kitts and Nevis expressed that the treatment of business persons is governed by the Investment Promotion Act of 2007. It was indicated that most, if not all Member States present have implemented or are in the process of implementing regulations that cater to business people and investors. There

are also governmental and independent institutions that provide valuable information and act as a liaison for business persons and investors, and market in which they want to be established.

IV: Investment Facilitation in the ACS Region: The Trinidad and Tobago Perspective.

The Trinidad and Tobago Chamber of Industry and Commerce (herein after referred to as the Chamber) presented to the meeting a power-point presentation about the nature and scope of their activities in relation to the facilitation of Trade in the region. Also highlighted were the benefits of similar institutions to business persons and investors. The Chamber in Trinidad and Tobago acts as a mediator for foreign investors seeking to enter the local market. In the preliminary stages of an investment or business venture, The Chamber offers detailed and well-researched information about economic environment of local market. They also assist in the administrative and logistical terms, providing “matchmaking” services where business men and investors are introduced to local enterprises that will be beneficial to their lines of business.

A subsequent video presentation provided by the Tourism Development Company of Trinidad and Tobago LTD, on investment opportunities in Trinidad and Tobago further underscored the potential that Greater Caribbean has to offer. The strategic location, the cultural diversity, the idyllic setting are elements that attract foreign business persons and investors through tourism. The Director of Trade indicated that the Tourism authorities of many ACS states produce similar promotional videos encouraging foreigners to their shores for various purposes including business, yet the administrative process that allows business persons and investors to legally engage in gainful ventures is oftentimes lengthy and constitutes a barrier to trade and investment and therefore needs to be addressed. The Director also noted that there should be a connection between security, immigration and investment promotion of the Member States: while the Tourism and Investment Promotion authorities are seeking to attract foreign investors, do their policies coincide with Immigration and Security policies, allowing these investors to operate in the host country?

V: Working Group Discussions (Legislation and Immigration Regulations)

While information is readily available on the respective immigration websites of ACS member states, many, including Cuba, St. Kitts and Nevis stated that their immigration code is currently being revised in order to accommodate this type of movement. As it stands today, many complexities such as the inability to change the nature of one's visa within the host country, the amount of time to acquire adequate documentation allowing economic activity, and no legal framework for business persons and investors, hinder the trade in the region. A general observation among Member States is that the borders are open for recreational tourists but business persons and investors are faced with vaguely defined limitations that confuse the type of activity they are allowed to partake in.

VI: Working Group Discussions (Security and Defining Business Persons)

Member States generally welcome foreign business persons and investors; however, there still exists concerns related to border control and security. The delegation of Mexico provided a detailed description of strategies employed by that Member State to manage security. One such strategy is the issuance of a biometric visa, with many security features to allow for easy detection of fraud. These visas are also issued after a background check on the applicant. It was also indicated that there has been legislation implemented to manage improved security measures.

The Trinidad and Tobago representative spoke of their cooperation with INTERPOL (International Criminal Police Organisation) in an attempt to safeguard their borders.

VII: Next Steps

In an effort to combat these issues faced by business persons, investors and host countries alike, the Working Group recommended that there is need:

- To clearly define a business person and an investor, and give a detailed explanation of the type of activities he/ she can engage in, as well as the services the individual is entitled to.
- To consider introducing an investor visa.
- To do a comparative study of an investor and a business person.
- To marry the immigration and trade policies so that administrative procedures coincide with amount of time business people and investors take to conduct their transactions.
- For all Member States to send their immigration information to the ACS to be compiled, tabulated and published on the ACS website. [The Director of Trade requested that all Member States send their information so that an accurate and detailed analysis of the situation can be rendered.]
- To establish links to all legislation and procedures pertaining to visas, embassies and immigration authorities of Member States on the ACS website.
- To inform the ACS Secretariat on a regular basis of any updates to the immigration laws and regulations related to business persons and/or investors.
- The second meeting of the Working on Business Visas was scheduled for 27 June 2013.