

Enhancing Data Collection on
Free Movement of Persons within the
Organisation of Eastern Caribbean States
(OECS)

APRIL 2024



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ACRONYMS

API	Advanced passenger information
BMS	Border management system
CARICOM	Caribbean Community
CBN	Canadian Bank Note
CSME	CARICOM Single Market and Economy
ED Card	Embarkation and disembarkation card
ECEU	Eastern Caribbean Economic Union
EU	European Union
GCM	Global Compact for Safe, Orderly and Regular Migration
IOM	International Organization for Migration
MS	Member State
NSO	National statistical office
OECS	Organisation of Eastern Caribbean States
OTRCIS	Overseas Territories Regional Crime Intelligence System
PMS	Protocol Member State
SDG	Sustainable Development Goal

EXECUTIVE SUMMARY

This study on Enhancing Free Movement of Persons Data within the Organization of Eastern Caribbean States (OECS) was supported by the International Organization for Migration (IOM Regional Office and implemented in partnership with the Economic Affairs and Regional Integration Division at the OECS Commission. The study was conducted within IOM's global compact framework for safe, orderly and regular migration Objective I: reliable, timely and disaggregated data to advance evidence-based policies, well-managed migration and good governance¹. The research which builds on existing research, policy dialogues and interventions already done in the region by IOM and the OECS Commission, examined border management systems (BMS) and free movement of persons data collection in the OECS Protocol Member States. Through in-depth interviews and focus group discussions with 20 key stakeholders, working in the areas of border management, national and regional statistics, free movement in persons or migration policy or data management, the study identified major challenges and gaps, as well as good practices in legislative, policy and institutional frameworks in Protocol Member States.

The BMS and free movement of persons data for the OECS operate within legislation, policy and institutional frameworks around the free movement regime. While significant process has been made in all of these areas due to ongoing work by the OECS Commission with support from regional and international partners, some major challenges remain. The study found that at the institutional level, government departments and agencies grapple with poor institutional capacity and lack of adequate resources to create an environment that promotes collection, management and sharing of comprehensive data on the free movement of persons or migration, as well as planning and policy making that is data driven.

The findings from the study included recommendations for and contributed to supporting increased harmonization of BMSs and enhanced migration data to foster regional integration, create social and economic opportunities, and improve people's mobility rights within a single domestic space (SDS). Stakeholders overwhelmingly supported the idea that harmonization of BMS does not mean sameness but rather better coordination between border management personnel and other related agencies at the national level, as well as regional coordination and data sharing among border management units. They suggested the need to establish interconnected and automated BMS across the Economic Union. This will be achieved through the establishment of a minimum dataset which is a useful and formidable tool for collecting and providing comprehensive and comparative data.

The dataset is intended to capture relevant, robust and linkable data to provide insights into migration trends and patterns of the ECEU free movement regime, and to guide informed policy and programmatic decisions that support better social and economic outcomes and benefits for citizens of the ECEU. The minimum dataset, ultimately, as a key tool for migration planning and policy development, also supports the achievement of the anticipated outcomes and outputs of the Contingent Rights policy. The study provided an actionable plan for the

¹ United Nations General Assembly. 2019. Global Compact for Safe, Orderly and Regular Migration (A/RES/73/195)

EXECUTIVE SUMMARY

establishment of a protocol, which outlines the procedures to be followed in the development of a minimum dataset, aims to establish and maintain standardization in practice, based on agreed standards for the collection, sharing and dissemination of administrative migration data.

INTRODUCTION AND BACKGROUND

The 2015 Sustainable Development Goals (SDGs) have explicitly focused on and underscore the importance of migration to development and highlight several migration-related targets, calling for disaggregated data to better track and monitor progress made towards these targets. In this Agenda, Organization of Eastern Caribbean States (OECS) Governments have pledged to “facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies” (SDG target 10.7). Further, as the leading intergovernmental organization in the field of migration, the International Organization for Migration (IOM) is committed to the principle that humane and orderly migration benefits migrants and society. This includes developing effective responses to the shifting dynamics of migration and human mobility and working to build capacity within governments and partner organizations to manage all forms and impacts of mobility within the region. The United Nations Global Compact for Safe, Orderly and Regular Migration (GCM) is rooted in the 2030 Agenda for Sustainable Development, and reinforces the concept that migration is a multidimensional reality of major relevance for the sustainable development of countries of origin, transit and destination, which requires coherent and comprehensive responses.² Further, it provides a set of objectives agreed upon by the international community to improve migration governance, where Objective I underscores the importance of reliable, timely and disaggregated data to document the benefits of migration to countries of origin and destination and assist Member States in developing planned and well-managed migration policies.

The Caribbean which has a history of intraregional migration and close connections, has long championed a move towards regional integration. The region encompasses two of the world’s longest-standing regional integration unions- The Caribbean Community (CARICOM)³ and the Organisation of Eastern Caribbean States⁴ (Longhurst D, et.al, 2021⁵; Berry, 2014).⁶ The 1981 Treaty of Basseterre, which established the Organisation of Eastern Caribbean States (OECS), created new mechanisms for regional integration and coordination, which have been bolstered by the OECS’s Eastern Caribbean Economic Union and by regional commitments and coordination through the GCM and multiple engagements through the Caribbean Migration Consultations over 2016-2019. Over the past five decades, countries within the region have developed and adopted regional and national agreements, legislation, and policies to allow for the free movement of persons, goods, services and labour across countries, and the recognition of the Eastern Caribbean as a single, domestic and integrated space.

The OECS free movement regime is the foundation for circular migration flows and regional integration and recognizes that free mobility advances economic and regional development. While the free movement regime is primarily geared at allowing persons greater economic

2 United Nations Secretary. 2021. Global Compact for Safe, Orderly and Regular Migration: Report of the Secretary General, December 2021.

3 Established by the Treaty of Chaguaramas, 4 July 1973.

4 Established by the Treaty of Basseterre, 1981.

5 Longhurst, D. & E. Gouretskaia, Migration Displacement and Shock-Responsive Social Protection in the Eastern Caribbean

6 Berry, D., Caribbean Integration Law.

INTRODUCTION AND BACKGROUND

opportunities within the region, nationals also enjoy the benefit of free interaction in social, cultural and sporting activities. Research shows that migration within the OECS free movement regime is predominantly temporary or circular flows resulting in newly fashioned and established transnational networks, diverse transnational family structures and concurrent flows in economic and social remittances (Mortley and Lunt, 2022).⁷ Further, in times of natural disasters the regime makes some allowances for nationals who want to relocate or are displaced. This free mobility has been particularly helpful in the wake of natural disasters and emergencies, such as Hurricanes Irma and Maria that severely impacted OECS countries in 2017.

The free movement of persons has long been recognised as a cornerstone and key tenet of regional integration (IOM, 2020).⁸ Free movement regimes are widely viewed as being critical in removing barriers to mobility and migration and have been implemented in different regions globally (ibid). Cross border mobility and the rights of free movement have been embraced fully in the OECS Protocol Member States (PMS).⁹ Figure 1 below shows the five Strategic Priorities for the OECS Commission for 2021 – 2027. Priority 1, the acceleration of regional integration includes realisation of a fully functional economic union where there is the full realisation of the benefits of freedom of movement of people, as well as unified trade and business facilitation among Member States.¹⁰ Further, citizens of the Eastern Caribbean Economic Union (ECEU), under the Revised Treaty of Basseterre (RTB), have equal access to the rights and freedoms afforded to citizens within the host country when they move between the Member States (MS), including work authorization without the need for a work permit.

Figure 1: OECS Strategic Priorities: 2021-2027 documents¹¹



7 MORTLEY, N. & Neil Lunt, Covid 19 and the Implications for Migration in the Organization of Eastern Caribbean States (OECS).

8 IOM, Free Movement of Persons in the Caribbean: Economic and Security Dimensions.

9 OECS Protocol Member States include Antigua and Barbuda, Commonwealth of Dominica, Grenada, Montserrat, Saint Kitts and Nevis, Saint Lucia and Saint Vincent and the Grenadines.

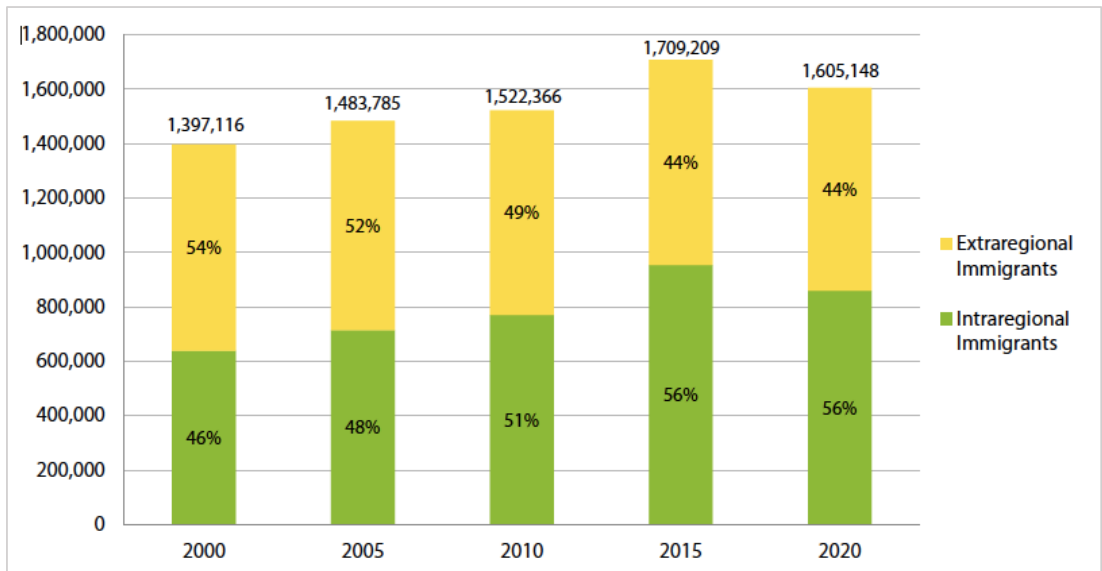
10 Opening Remarks from the Director General of the OECS Commission at the 35th Meeting of the OECS Legal Affairs Council. July 2023.

11 Retrieved at: www.oecs.org/en/who-we-are/strategic-objectives

FREE MOVEMENT REGIME AND REGIONAL INTEGRATION IN THE ORGANISATION OF EASTERN CARIBBEAN STATES (OECS)

In principle and in practice, citizens of CARICOM and OECS Member States have benefitted from the region’s free movement regimes and have generally been able to take advantage of the portability of social and economic rights and benefits. The IOM (2019) reported significant progress has been made towards regional integration in the Caribbean. This is evidenced by the over two million movements facilitated until 2017 via the regional mobility regime of the CARICOM Single Market and Economy (CSME) for citizens of CARICOM and OECS Member States, allowing them to travel, to live and work freely in other Member States, and capitalise on the social and economic benefits derived from the free movement of goods, services and labour. According to Lacarte et al. (2023) the intraregional share of immigrants has increased substantially in the last two decades, from 46 percent in 2000 to 56 percent in 2020 (Figure 2). This trend reflects the recent acceleration in regional integration and free mobility regimes as well as increased movement caused by climate change and intensification of natural disasters. Undoubtedly, however, despite the region’s success in establishing the CARICOM Single Market and Economy (CSME) in 2006¹² and the OECS Eastern Caribbean Economic Union (ECEU) in 2010 to deepen regional integration, the full realization of the rights of free movement has not yet materialised across the Caribbean region. While most provisions under the ECEU have been implemented, the regime remains a work in progress.

Figure 2: Number and Share of Intra- and Extra-regional Immigrants in the Caribbean, 2020



Source: Tabulation of data from United Nations Department of Economic and Social Affairs, Population Division, “International Migrant Stock 2020—Destination and Origin,” accessed October 25, 2020

¹² Article 45 of the Revised Treaty of Chaguaramas, 2006

Implementation Challenges

An imbalance and ‘uneven level of commitment to free movement of persons’ by Member States has made the implementation of the free mobility regimes within the region challenging (IOM, 2019). Implementation of legal obligations under the revised Treaties of Chaguaramas and Basseterre, particularly at the national level has not been homogenous across the region (Longhurst, 2021). Widening gaps between regional policies and national processes of ratification has meant differing levels of implementation, and the slow removal of legislative, institutional and administrative barriers to give full effect to provisions for the CSME and the OECS Economic Union remains a significant challenge (Longhurst, 2021; IOM, 2019; Haynes, J. 2016¹³). Where national legislation and policies have been developed and/or amended, the relevant institutional and administrative frameworks and systems, including provision of support, to create a single space have not been sufficiently robust to remove barriers to mobility and migration, and abolish restrictions on individuals moving among Member States.

Research examining the implementation of free movement regimes in the Caribbean, points to several fundamental challenges affecting the implementation of free movement regimes:

- Lack of harmonization in legislation, agreements and procedures among Member States
- Lack of harmonized border management systems
- Lack of capacity and funding
- Lack of public awareness of free mobility provisions under the revised Treaties of Chaguaramas and Basseterre
- Lack of comprehensive statistical data and information on free movement and migration to understand benefits
- Lack of political will.

These challenges are not, however, ubiquitous in the region.

The OECS Commission, one of the Economic Union’s principal organs and institutions established by the RTB, has recognised the importance of data in shaping regional integration and related policy. Data is seen as critical in driving decision-making, fostering harmonization of border management systems and improving commitment and the implementation of free movement policies and cooperation among Member States. According to the Director General of the OECS Commission during an interview conducted for this study,

¹³ Haynes, J., The right to free movement of persons in Caribbean community (CARICOM) law: towards ‘juridification’? *Journal of Human Rights in the Commonwealth*

FREE MOVEMENT REGIME AND REGIONAL INTEGRATION IN THE ORGANISATION OF EASTERN CARIBBEAN STATES (OECS)

“In the data realm we have a project ‘data for decision-making’ which is to redesign the entire data architecture in the OECS...to shape the direction of where we are going with data and open up a whole new range of possibilities for data for decision-making”

The Global Compact for Migration commits to strengthen evidence base on migration by improving and investing in the collection, analysis and dissemination of accurate, reliable, comparable data, disaggregated by sex, age, migration status and other characteristics relevant in national contexts, while upholding the right to privacy under international human rights law and protecting personal data.¹⁴ This study on enhancing data on free movement of persons is thus being conducted within this context. Through this study, IOM has committed to supporting continued harmonization of border management systems (BMS) and data management procedures and is working in partnership with the OECS Commission towards the implementation of the monitoring framework for the ECEU with respect to achievements associated with free movement of persons and the realization of a single domestic space.

¹⁴ United Nations. 2021. Global Compact for Safe, Orderly and Regular Migration: Report of the Secretary General, December 2021.

PURPOSE AND OBJECTIVES OF THE STUDY

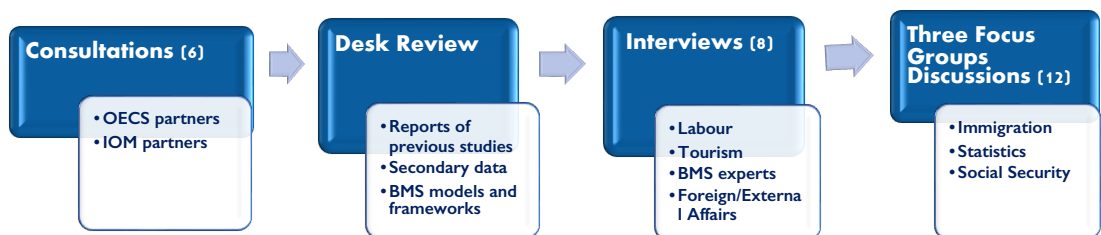
This study assessed existing border management systems (BMS) and free movement of persons data collection processes in the OECS PMSs to make recommendations for increased harmonization of BMSs and procedures for the enhancement and use of evidence-based data for policy and planning that will foster regional integration, create social and economic opportunities, and improve people's mobility rights within a single domestic space (SDS). The study builds on work already done by the OECS Commission and IOM towards improved BMS and rights of free movement and specifically aimed to:

- Assess existing BMS and data systems within the OECS PMSs for the collection, analysis, production and sharing of free movement and cross border data
- Identify and outline the free movement of data ecosystem within the OECS PMSs, including identification of (a) the key national actors that are producers of free movement and cross border statistical data, (b) the types of data being collected, and (c) the methods and tools for BMS data management (collection, production, and analysis)
- Identify free movement and cross border data management gaps and best practices, including capacity constraints, and capacity building opportunities
- Make recommendations, including an action plan to guide the improvement of data management on the free movement of persons within the ECEU.

METHODOLOGICAL APPROACH

This study was implemented in consultation with key partners at the Economic Affairs and Regional Integration Division in the OECS Commission and the IOM to gain access to and set up interviews with key stakeholders and experts working in BMS and free movement of persons/migration policy and data. The research was qualitative and employed a combination of in-depth interviews and focus group discussions which were conducted in person and virtually with stakeholders in the following countries: Antigua and Barbuda, Dominica, Grenada, Monserrat, Saint Kitts and Nevis, Saint Lucia and Saint Vincent and the Grenadines (Figure 3).

Figure 3: Methodological Approach



Consultations

Consultations were conducted with key partners at the IOM's Regional and Caribbean Coordination Offices as well as the Economic Affairs and Regional Integration Division at the OECS Commission. Six (6) consultations were completed to gain a deeper understanding of ongoing work being done by both organizations on migration and free movement in the region, validate the methodological approach and inform the design of the data collection tools, including the protocol tool. At the end of consultations, an Inception Report was produced outlining the rapid assessment, the research plan and instruments for the study. The Inception report is included with this report as **Annex I**.

Desk Review

A desk review was conducted of recent reports, secondary data and policy frameworks related to the free movement regime and current border management systems being used by Member States, including reports on work/research being done by CARICOM CSME. The desk review also examined literature on best practices from other regions related to free movement of persons, migration and human mobility. The review highlighted gaps in migration data and legislative and policy positions in the OECS, revealing critical areas for further research.

Primary Data Collection, Analysis and Validation of Results

Primary data collection included a combination of in-depth interviews and focus group discussions (FGDs) with twenty (20) key stakeholders and experts in the participating countries. Interviews were conducted in person and virtually and lasted between one to two hours. FGDs were held with those stakeholders who represented a homogenous group

METHODOLOGICAL APPROACH

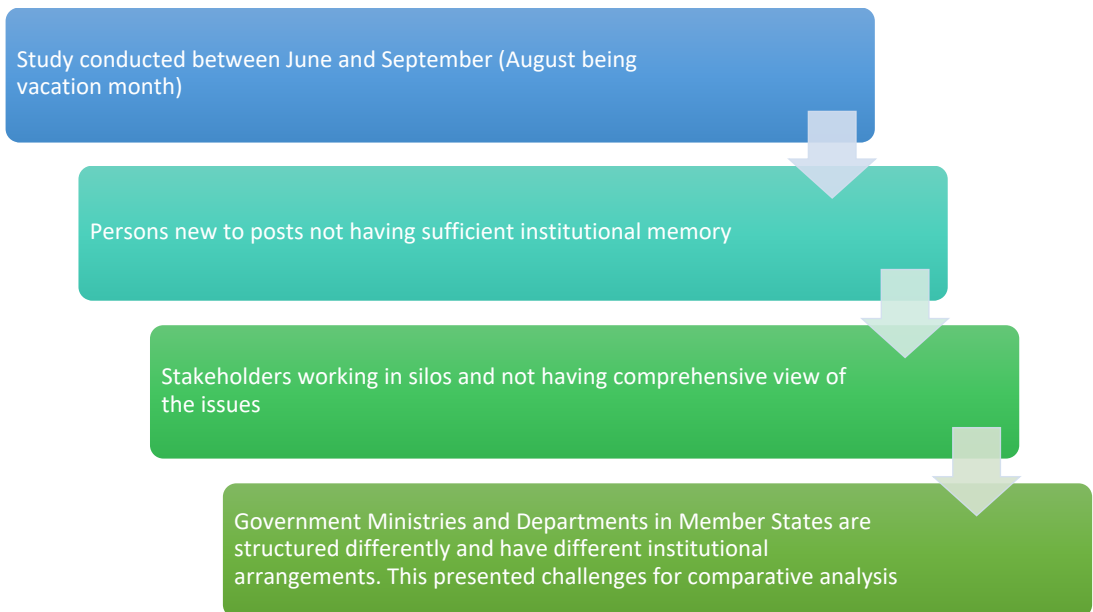
such as Heads of Immigration Units and experts from Central Statistics Offices. These were virtual group sessions facilitated by the OECS Commission, which allowed participants to share perspectives on key issues and challenges, as well as reflect on their experiences and make recommendations for enhanced data management and sharing. In the group sessions, participants also felt comfortable dialoguing with and sharing experiences among their peers. Interviews and focus group discussions provided in depth understanding of BMSs and free movement of persons data procedures, as well as challenges and best practices related to data management.

All interviews and focus group discussions were recorded and analyzed using thematic analysis based on the research questions. The analysis of key themes informed recommendations for mechanisms and procedures to improve border management and build institutional capacity to enhance free movement of persons data. The Consultant presented findings and recommendations to stakeholders for further discussion, reflection and feedback and the final report prepared. This validation exercise with research participants and other stakeholders ensured that the findings were accurate and appropriate to the socio-political and economic realities of Member States. At the end of the validation exercise, participants were asked to complete an evaluation of the presentation. The rest of this report discusses the main findings from this study and situates it within the broader conceptual, legislative and policy frameworks related to free movement, migration and development.

LIMITATIONS OF THE STUDY

The study was conducted between June and September in 2023 which presented challenges in recruiting stakeholders for interviews, especially during the month of August when many public sector workers were on leave from work. Another limitation was that among those stakeholders who were new to posts, there was a lack of institutional memory on data management systems within their organizations and limited knowledge or understanding of the broader data ecosystem. Finally, government ministries and departments in the various countries are structured differently and have different institutional arrangements. This presented challenges for making cross country comparisons on the data ecosystems, data management procedures and data flows.

Figure 4: Limitations of the Study



OECS BORDER MANAGEMENT SYSTEMS

“The interoperability of the BMS is critical in advancing regional integration in the Eastern Caribbean and in providing assistance to the immigration authorities with regards to identifying and recording travelers, including visitors and victims of natural disasters.”¹⁵

The region’s border management systems (BMS) are an important aspect of the institutional infrastructure for the free movement of persons within the OECS, the creation of a single domestic space and enhanced migration governance. This research has revealed that the OECS Commission has several ongoing initiatives to strengthen border management systems across the OECS. Through the OECS Border Harmonization Initiative the Commission seeks to improve the systems and procedures employed by Border Control Agencies (BCAs) within the Member States toward the establishment of a more efficient border security system.¹⁶ Initiatives include high level dialogues to identify challenges and reaffirm political commitment, the creation of the OECS Technical Committee for Border Harmonization Initiative in 2018, partnerships with regional and international organizations such as the CARICOM Implementing Agency for Crime and Security (CARICOM IMPACS), the development of an OECS ID verification system, and under the Regional Integration through Growth Harmonisation and Technology (RIGHT) Programme,¹⁷ research assessing the BMSs in the OECS and training with border management personnel. In spite of these important areas of progress, border management remains a complex issue among PMSs. Similar to other jurisdictions, integrated border management involves a range of public and private stakeholders, which includes:

- Immigration and passport
- Customs
- External/foreign affairs
- Public health agencies
- Law enforcement
- Justice and courts system
- Tourism authority
- Airlines and airport operators
- Border management service providers

While border management and control systems in the OECS countries are owned and operated by Member States, they do not have full control the systems. Member States have contractual arrangements with private vendors which are individually negotiated and vary across countries.

The vendors have a contractual duty to provide after-sales services which include maintenance, data management and reporting. All PMSs except for Saint Lucia and Montserrat use the BMS supplied by the company Canadian Bank Note (CBN). Saint Lucia operates a system supplied and maintained by GAMMA IT Solutions (RADEX BCMS) while Montserrat utilises

¹⁵ <https://www.oecs.org/en/regional-integration-eastern-caribbean-right-programme#BDS>

¹⁶ Technical Committee for OECS Border Harmonization Initiative. May 2018. Report on Harmonization of Border Management System Initiative

¹⁷ The RIGHT Programme, being funded by the EU aims to (i) strengthen the architecture and operations of the OECS to streamline regional integration and (ii) promote climate resilient economies by increasing jobs and supporting growth.

OECS BORDER MANAGEMENT SYSTEMS

the Overseas Territories Regional Crime Intelligence System (OTRCIS) system supplied by the Government of the United Kingdom through SAS Institute Incorporated.¹⁸ Further, despite using the same CBN system, there are differences in the versions of software and functionalities applied by Member States. These packages vary according to preferred functionalities, costs and countries' abilities to pay.

Identification systems, which include the issuing and supply of passports, are also procured privately in the OECS,¹⁹ but are managed publicly. Presently BMSs within the ECEU do not support interoperability, and countries do not have systems in place to adequately monitor citizens moving under the free movement regime. In 2017, only two countries – Antigua and Barbuda and Grenada – had in place advanced passenger identification systems (APIS) allowing for identification and security risk assessments. Today, all Protocol Member States have in place APIS. Antigua and Barbuda is the only country, however, which has in place an automated BMS that allows for identification and security assessment risks.²⁰ In Grenada, the BMS does not allow for automatic monitoring, but identification and security risks can be achieved through other secondary checks (such as use of biometric facial recognition and finger print data).

Recent reviews and assessments conducted by the Commission through a series of consultations with senior officials as part of the OECS Border Harmonization Initiative, have resulted in the established a set of general functionalities that the BMS utilized by OECS Member States should possess. These general functionalities are expected to allow for the enhancement of the efficiency and the lowering of the cost associated with the BMSs utilized in these countries. The list below in Table 1 includes the 18 general functionalities, some of which have been added as critical in light of recent events and crises in the region.²¹ These include fully integrated BMS; ability to format data from the BMS and offline input of data; ability to capture hits on international criminals; capture of ID cards; online submission of the ED cards and swipe card entry.²²

18 AZ Information Jamaica Limited (2023). Review of Border Management System Functionalities and the Development of Proposals for Establishing a BMS Integration Platform for the OECS.

19 The Canadian Bank Note border management information system is the most widely used across the OECS.

20 Antigua and Barbuda's BMS allows for the identification of travelers who have overstayed their stay in the country (IOM, 2019)

21 OECS Technical Committee for Border Harmonization Initiative (2018). Harmonization of Border Management System Initiative Report. Castries, OECS Commission.

22 *Ibid.*

OECS BORDER MANAGEMENT SYSTEMS

Table 1: Proposed BMS General Functionalities

FUNCTIONALITIES	
i. automatic entry and exit of transport and travellers at ports	x. ability to create ports for aircraft crew
ii. high traveller throughput using passport reader technology	xi. fully integrated system
iii. loading of APIS, ability to do queries	xii. capture of ID cards
iv. pre-screening of travellers	xiii. ability to format data from BMS
v. offline input of data	xiv. simplify modules for watch list
vi. comprehensive auditing and user management	xv. ability to capture hits on international criminals
vii. comprehensive searches	xvi. allow for tailoring to local reality
viii. automatic checks of travellers	xvii. online submission of the ED cards
ix. image capture, finger printing of travellers (especially suspicious travellers)	xviii. swipe card entry

Results from this study revealed that very few functions from the above list have been fully implemented by MSs. Those that have been partially implemented include facial recognition in Saint Vincent and the Grenadines, APIs that do queries in Montserrat and sharing data with other countries (except JRCC) in Antigua and Barbuda and Saint Lucia.²³

Further, in terms of improving BMS and harmonizing procedures among countries, the research found a few key areas as presenting challenges and requiring intervention:

- The OECS - PMSs do not all use the same border management systems
- BMSs are normally available at main airports and not at all ports of entry
- Among the five countries that use the Canadian Bank Note system, there are differences in the versions of software, differences in functionalities applied and contractual arrangements spanning different timeframes
- Lack of adequate supportive data protection legislative framework for PMSs
- All PMSs except Monserrat have enacted legislation that require all commercial air and sea carriers operating inbound and outbound to electronically transmit APIS

23 AZ Information Jamaica Limited (2023). Review of Border Management System Functionalities and the Development of Proposals for Establishing a BMS Integration Platform for the OECS.

data on all passengers and crew members to the Joint Regional Communications Centre (JRCC). However, there is variation in enforcement of legislation to support full implementation of JRCC

- Lack of standardization in entry and exit forms, data management and data sharing across the OECS PMSs.
- Most countries collect entry data, but very little data is collected on who is leaving
- Challenges with online ED card such as lack of awareness by citizens and visitors and lack of kiosks to complement this system
- While countries are open to alternative systems, there is a general lack of adequate knowledge and information on alternate options.
- Some questions that Immigration senior officials raised during the interviews and FGDs include:
 - What is the cost of terminating existing contracts and who bears that cost?
 - Are alternative systems robust enough and have AI capabilities?
 - Do other systems provide on the ground support, training and upgrades?
 - Can alternative systems accommodate legacy data?
 - Can they integrate previous and existing data? This was a real concern as officials stressed the importance of not losing previous data.

OECS BORDER MANAGEMENT SYSTEMS

The Midas system provided by the IOM is used in approximately 27 countries globally and three countries in the Western Hemisphere: Belize, Haiti and Paraguay. While Midas has been presented to the OECS countries as a viable option, immigration officials did not have adequate knowledge and a comprehensive understanding of how this system would work. According to a senior immigration officer, *“I think we were introduced to it in a meeting or session but I so not recall the details or if we had a full understanding to allow comparison between the two systems.”*

Human mobility within the Caribbean is becoming increasingly complex as the migration landscape continues to evolve. This includes a wider range of persons moving including vulnerable, undocumented and illegal movements. According to one senior official at the OECS Commission,

“We don’t know how many OECS nationals are in various countries other than their own. We don’t know the data flows and the demographics of who is moving...only when someone reports a case to OECS Commission are we aware of breaches. Otherwise, we don’t have data to monitor the implementation of the contingency rights”

Data collection tools and procedures at the borders also play a critical role in better border management, as well as protection of nationals who are moving and OECS citizens more broadly. Enhanced BMSs thus ensure that the vulnerable, displaced and undocumented do not face exploitation, abuse, discrimination and violation of their human rights.

The Global Compact for Migration upholds the principles of non-regression and non-discrimination that ensure effective respect, protection and fulfilment of the human rights of all migrants, regardless of their migration status, across all stages of the migration cycle. It also calls for a commitment to eliminate all forms of discrimination, including racism, xenophobia and intolerance against migrants and their families. This underscores the need for better coordination between border management personnel and other related agencies at the national level, as well as regional coordination and data sharing among border management units. There is thus a need to establish interconnected and automated border management systems across the Economic Union.

The absence of BMS at all points of entry (POE) is also an issue that must be addressed to enable the capture and sharing of accurate data among border management agencies both at regional and national levels, and critical for identification and management of security risks. Further, stakeholders generally agreed that part of enhancing BMSs involves reflecting on the question of what mechanisms need to be put in place at the borders during times of disasters and crisis. As part of its broader strategy to improve border management, the study revealed key areas of focus for the OECS:

- Production of standardised national identification cards and across the OECS
- Use of biometric border control systems such as cameras and face recognition mechanisms for PMS citizens travelling without documents following disasters. It was

noted that this was the reality in the aftermath of Hurricane Maria which saw many persons displaced

- Implementation of BMSs that support interoperability of the systems and provision of advanced passenger information
- Complete move to online ED cards that are fully integrated into the BMSs and allow for more comprehensive information about people's motivations for moving. Although as one stakeholder in the tourism sector cautioned, "We must be careful, the instrument should not be too invasive or have too many questions while at the same time capturing critical information to help strategic planning"
- Greater dialogue and cooperation with other Caribbean countries such as Sint Maarten or Barbados to better understand their BMSs and for joint procurements and negotiations for addition infrastructure and resources such as kiosks
- Ongoing training and certification of border management personnel in critical areas such as law enforcement, gender and human rights, data analysis and management.

FULL REALISATION OF THE FREE MOVEMENT REGIME: CHALLENGES OF IMPLEMENTATION

Under the Revised Treaty of Basseterre (RTB), the ECEU allows for the free movement of goods, services, people, enterprise and capital across its seven Protocol Member States (OECS; Longhurst, D et. al, 2021). The free movement of persons regime for the OECS is articulated by Articles 12 and 13 of the Protocol of ECEU within the RTB, and seeks to achieve in particular:

- The removal of all discrimination based on nationality with respect to access to employment, remuneration and other conditions of work and employment
- The full implementation of contingent rights
- The coordination of policies towards development and effective mobilization of labour with a view to create an Economic Union-wide labour market.

The key elements of the free movement of persons in the OECS Economic Union include:

- Indefinite stay
- Contingent rights
- Integrated labour market
- Ease of movement and hassle-free travel
- Social security and portability of social protection benefits
- Mutual recognition of valid forms of national identification cards (driver's licence)²⁴

The creation of a single domestic space (SDS) and the free movement of persons within the OECS region has made important strides thanks to the leading role played by the OECS Commission and some critical partnerships.

Figure 5 illustrates areas within which the OECS has achieved success in implementation. The Figure has been adapted from IOM (2019) study and revised based on findings from this study

²⁴ <https://www.oecs.org/en/free-movement-in-the-eastern-caribbean#border-management>

FULL REALISATION OF THE FREE MOVEMENT REGIME: CHALLENGES OF IMPLEMENTATION

Figure 5: Key elements of OECS Economic Union



Source: Adapted from IOM, 2019 and revised based on findings from this study

Made with infogram

At the same time, the IOM and the OECS Commission have identified some challenges and have recognized the need for support in continued harmonization of BMSs and migration provisions to both maximize the benefits of free movement and migration and minimize potential associated risks. A review of the OECS integration goals by the Economic Development Fund in 2018, identified the following as the key implementation challenges of the rights of freedom of movement in the OECS:

1. Adaptation of national law to reflect regional commitments and community law, particularly for warranting contingent rights and related to social welfare issues
2. Lack of institutional arrangements and frameworks within PMSs to support the advancement of the Economic Union
3. Inexistence of efficient technological systems, tools and mechanisms, as well as specialised technical and human capacity, to efficiently manage the implementation of the free movement of persons, goods and capital
4. Lack of up-to-date, quality and country comparable statistics for policy decision-making
5. Insufficient public involvement and awareness on OECS integration process and citizens' rights and provisions in the Treaty
6. Inadequate travel and communication infrastructure in the OECS region

FULL REALISATION OF THE FREE MOVEMENT REGIME: CHALLENGES OF IMPLEMENTATION

Economic constraints identified includes:

1. Lack of competitiveness of the OECS private sector
2. Limited export diversification and linkages to the key economic sectors such as tourism and agriculture
3. Lack of job opportunities for youth and vulnerable communities in particular

LEGISLATIVE FRAMEWORK

Based on the gaps identified above, this section discusses the role of the legislative, policy and institutional frameworks in enhancing evidenced-based data and fostering deepened integration and a single domestic space.

All seven PMSs have passed laws to give effect to the rights of free movement granted under the RTB. Amendments to national legislation to support the Rights Contingent on the Right to Freedom of Movement within the Economic Union have proven more challenging. All countries, except Saint Vincent and the Grenadines have made legislative and regulatory amendments to support contingency rights. Where legislative provisions have not been implemented however, policies and administrative provisions, such as those implemented in Saint Vincent and the Grenadines in lieu of legislative provisions, have been developed by PMSs to effect contingency rights, though not all the measures have been formally adopted in each country (Table 2). At the regional level, the OECS, in collaboration with the Open Society Foundation, has therefore developed a draft model bill (the OECS Free Movement of Persons Contingency Rights Bill) which, upon national adoption, would complete the operationalization of free movement of persons. Through a consultative process and based on feedback from stakeholders in the PMSs, the OECS Commission's Legal Unit has been revising this bill.

Table 2: Enacted national legislation to support rights contingent of the right to freedom of movement

COUNTRY	LEGISLATION					
	Indefinite stay to Remain	Right to Work	Education	Healthcare	Landholding	Driver's Licence
Antigua and Barbuda,	Immigration and Passport Act 2014, No. 6 2014	The Antigua and Barbuda Labour Code (Non Application of Division F) (No. 3) Order, 2017	-	-	-	-
Dominica,	Immigration and Passport Act, Act of 1995, Amended by 16 of 2007 and 17 of 2015	Immigration and Passport Act, Act of 1995, Amended by 16 of 2007 and 17 of 2015	Dominica, Education Regulations 2011	-	-	Vehicles and Road Traffic (Amendment) Act 2013
Grenada	Immigration (Amendment) Act No. 7 of 2012.	Work Permit Exemption (Citizen of a Protocol Member State Order, 2015)	-	-	-	Road Traffic (Amendment) 2015, Act No. 18 of 2015
Montserrat,	Immigration Act Revised Edition showing the law as at 1 January 2013	Labour Code and Subsidiary Legislation	-	-	-	Road Traffic Act and Subsidiary and Related Legislation Revised Edition, 1 January 2013
Saint Lucia,	Immigration (Amendment) Act 2014	Labour Act, 2006 (no.37 of 2006). Labour Code, Act 2011 (No. 6 of 2011)	-	-	-	Motor Vehicles and Road Traffic (Amendment) Act 2014
Saint Kitts and Nevis,	Immigration (Amendment) Act, 2012, No. 1 of 2012	Immigration (Amendment) Act, 2012, No. 1 of 2012	-	-	-	Vehicles and Road Traffic (Amendment) Act, 2011 No. 40 of 2011
*Saint Vincent and the Grenadines	Immigration (Restriction) (Amendment) Act 2002	-	-	-	-	-

*No legislative amendment made to grant indefinite stay

LEGISLATIVE FRAMEWORK

A legislative review on the implementation of the OECS Policy on Contingency Rights showed that no country, except Dominica, had developed and/or adopted legislative, policy or administrative provisions to grant spouses and dependents (who are not OECS nationals) the right of free of movement. No legislative provisions have been made in any of the PMSs to grant rights to education and healthcare. Administrative and policy provisions have, however, been made in several states to grant rights of education and accommodations have been made in crisis situations such as in the aftermath of hurricanes to accommodate displaced children. Legislative amendments have also been made in several states granting rights related to land holdings and the formal recognition of driver's licence (Table 3).

Table 3: Overview of rights accorded in Protocol Member States

OVERVIEW OF RIGHTS ACCORDED IN PROTOCOL MEMBER STATES								
Rights	Beneficiary	Antigua and Barbuda	Commonwealth of Dominica	Grenada	Montserrat	St. Kitts and Nevis	St. Lucia	St. Vincent and the Grenadines
Indefinite stay to remain	OECS citizens	✓	(✓)	✓	✓	✓	✓	(✓)
	Spouses and dependents	-	-	-	-	-	-	-
Right to work	OECS citizens	✓	✓	✓	✓	✓	✓	-
	Spouses and dependents	-	(✓)	-	-	-	-	-
Education	Dependents	(✓)	(✓)	(✓)	(✓)	-	-	(✓)
Health-care	OECS citizens	(✓)	-	-	-	-	-	-
	Spouses and dependents	-	-	-	-	-	-	-
Land-holding	OECS citizens	✓	✓	-	✓	-	✓	-
	Spouses and dependents	-	-	-	-	-	-	-
Recognition of driver's licence	OECS citizens	-	✓	✓	✓	✓	✓	-
	Spouses and dependents	-	-	-	-	-	-	-

✓- Legislative provisions (✓)- Administrative/policy provisions. - No provisions

Source: OECS, 2021

Portability of social benefits is covered under the OECS Convention on Social Security. However only two PMSs have signed the convention: Antigua and Barbuda and Saint Lucia. Efforts are, however, ongoing to establish a special regime for portability of short-term benefits within the ECEU under the Model Bill. The administrative arrangements that determine how money would be transferred and received across countries still needs to be worked out in this regime, while long-term social security benefits, that is, pension portability has already been achieved via the CARICOM Agreement on Social Security (CASS). Further details on social benefits are being worked out separately through a Memorandum of Agreement and a new Benefits Regulation.

POLICY FRAMEWORK

The OECS Policy on Rights Contingent on the Right to Free Movement (or Contingency Rights Policy) within the Economic Union is instructive. The policy is geared towards clearly articulating rights to be conferred on OECS citizens and their families, including indefinite entry/stay, the right to work in the receiving country and hassle-free travel among PMSs. This also applies to free movement in the aftermath of disasters. The policy speaks to creating an enabling environment for support, social protection, security, and well-being of families especially in the face of increased vulnerabilities. The mention of key items in relation to the Sustainable Development Goals (SDGs) is also promoted as important to the spirit of the OECS. These include access to health care, education, employment, and income generating activities, income transfers and working safety (SDGs 3, 4, 8). Special mention is made of men, women, youth and children, with a focus on protecting the structure and unity of the family. While this policy is in keeping with the principle of non-discrimination (as laid out in the Global Compact) and considers international conventions on human rights, the rights of children and migrants, the extent to which it is inclusive and gender-responsive is not guaranteed since implementation in PMSs is often at the discretion of public officials. The research findings revealed that while progress has been made on implementation of the policy, it has not been implemented in full. Some implementation gaps and challenges highlighted by the research participants included:

- Full implementation for OECS nationals in the areas of indefinite stay and access to the labour market (right to work without work permit) but these rights have not been transferred to their spouses and dependents who are not OECS nationals
- Major challenges with spouse and dependents accessing health and education in receiving countries
- Lack of domestic legislation to guide and monitor the policy implementation
- Lack of sufficient capacity and resources which affect PMSs ability to finance full rights for spouses and dependents
- Lack of awareness among OECS citizens on their contingent rights
- The absence of comprehensive data on free movement flows and demographic profiles of who is moving creates fear, suspicion, xenophobia and assumptions among citizens in receiving countries.

According to one stakeholder interviewed,

“This research is important because the data is important. If we know who is moving and the profile of the persons moving then it would go a long way in raising awareness and getting buy in from OECS citizens.”

The findings revealed the importance of evidenced-based data and comprehensive statistics for implementing and monitoring progress toward full contingent rights related to free movement. Stakeholders also believed data play an important role for political leaders to better educate their constituents on free movement and contingency rights, for better decision making and development planning on their part. On the issue of political will among Heads of MSs, stakeholders were divided. Some were of the view that the lack of political will remains prevalent, while others were of the view that major events over the past five years such as the

POLICY FRAMEWORK

COVID-19 pandemic have created a seismic shift in attitudes and commitment among political leaders,

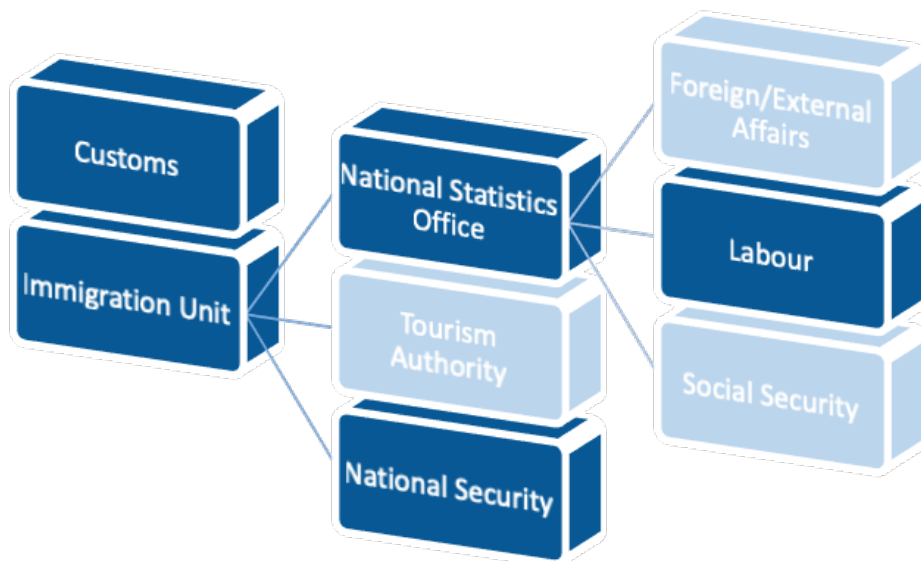
“Political will is much better now due to COVID and recent crises in the region which have been a wakeup call for us all. There is political will for harmonization of protocols in the region and lots of high-level discussions for collective legislative reforms”

One of the strengths of the contingency rights policy is its collaborative and integrative approach to the revision of the policy and the OECS Commission has been working with partner agencies for review and reforms. The policy incorporates several relevant international instruments as it relates to the rights of people across several broad categories, for example children, youth, men, and women. However, there is no mention of the various groups or stakeholders consulted in revising the policy. Consultations with diverse groups and sub-populations (such as the youth, LGBTQ communities and Indigenous communities) who have traditionally not had a voice, are critical in ensuring gender-responsiveness of policy and ensuring inclusivity related to the needs and priorities of all. Further, the policy needs to consider different modes of human mobility, what happens after people move and the gender needs of various groups moving during disasters. Free movement of persons data both contribute to a more rights-based and responsive policy as well as effective implementation of the policy so that there is enhanced border management and data collection.

INSTITUTIONAL FRAMEWORKS

The OECS Commission serves as the administrative arm of the OECS and plays a leading and coordinating role in the pursuit of the objectives of the ECEU, while the OECS Authority (Heads of Government of Member States) is the highest policy and decision-making organ in the OECS, which guides key measures and interventions geared towards regional integration. The OECS Authority receives guidance from the OECS Council of Ministers for Immigration which supervises this area of the OECS Commission's work programme. However, in harmonizing border management and enhancing free movement of persons data, there are government departments and agencies in the PMSs that are critical to achieving these goals. These agencies are part of the free movement in persons data ecosystem (Figure 6) in that they are important sources of administrative and statistical data generated through routine operations and administrative processes.

Figure 6: National Departments and Agencies working with free movement and migration data



The study found that these government departments and agencies grapple with poor institutional capacity and lack of adequate resources to create an environment that promotes collection, management and sharing of comprehensive data on the free movement of persons or migration, as well as planning and policy making that is data driven. The main challenges at the institutional level identified by stakeholders include:

- High turnover rate in the public service and a constant need to re-educate public servants on the contingent rights
- Lack of training, poor mentorship and lack of succession planning within relevant entities so that knowledge and institutional memory is not passed to new staff
- Underfunded agencies create inadequate infrastructure and lack of required technologies

INSTITUTIONAL FRAMEWORKS

- While training of immigration personnel has improved in recent years, the high turnover of immigration officers creates challenges for border management in that they are not able to fully benefit from the training or transfer training into tangible actions
- Cooperation among regional agencies based on informal and personal relationships which should be based on formal arrangements such as Memorandum of Understanding (MoU) that clearly state terms of working relationships.
- National and regional agencies are operating in separate environments and systems (work silos) that do not prioritize coordination and holistic planning and response. This has implications for data collection and management since agencies use different definitions, instruments and methodologies for data collection.
- Government ministries and portfolios in PMSs are structured differently which undermines harmonization in procedures and data flows.

Several stakeholders were of the view that the national statistics offices (NSO) need to be given a legal mandate and the resources to be the central authority and repository to collect not only free movement of persons, but more broadly migration data which is disaggregated based on CARICOM and OECS human mobility flows. This would allow for standardization of methodologies and enhanced data sharing across the PMSs. One stakeholder explained,

We need harmonized legislation that treats data the same across the region and places the NSOs as the central repository for data. The NSO would handle sensitive data by anonymizing it. The NSO should be given legal responsibility to handle all data.

FINDINGS: ENHANCING FREE MOVEMENT OF PERSONS DATA

There is a lack of data and evidence to sufficiently understand human mobility trends in the OECS. The IOM 2019 study on free movement in the OECS noted that mobility trends were difficult to assess and monitor given the lack of reliable free movement statistical information across the OECS PMSs. Additionally, no standardized data tools exist in any of the MSs to capture data to understand the magnitude, trends and patterns of mobility to sufficiently guide service delivery and border management. The absence of data also limits the overall use of data to predict and understand people's use and demand for key services and goods. Data is important to measure the effectiveness of the free movement regime and whether the Contingent Rights policy is meeting its objectives and commitments. This would allow for policy review and adjustment as human mobilities deepen and evolve, as well as strategic planning to deepen regional integration and build resilience to external shocks.

Recent experiences with climate related events in the OECS²⁵ region have brought to the fore the importance and need to improve the collection of mobility and free movement data and strengthen data systems to enhance the availability of migration statistics for informed planning and policy and collaboration among PMSs. With more attention given to the economic facets of regional integration, the absence of comparable data has made it increasingly challenging to understand the human aspects, social dynamics and drivers of mobility. In a region that is often characterised as 'data poor' the harmonization of free movement and cross border statistics is central to deepening integration. In addition to standardised methods of data collection, there is also an explicit need to establish legislative frameworks and develop data sharing protocols and agreements to standardise data sharing guidelines, mechanisms and processes. Data sharing is also a crucial component of the integrated border management, as associated and identified security risks can be mitigated by data sharing.²⁶ Improving the capacity of the national and regional statistical systems across the OECS to collect and produce free movement statistics will be crucial in advancing evidence-based policy and programmatic responses for integration under the free movement regime.

CARICOM's Regional Strategy for the Development of Statistics 2019-2030²⁷ highlighted the central role of national statistical organisations and the fact that they continue to experience severe challenges which are further compounded by the increased demand for statistics regionally and internationally. Results from this study revealed other data challenges related to free movement data:

- Lack of data sharing culture in the Caribbean and specifically among relevant entities in PMSs
- Lack of standardized definitions of key migration and human mobility terms
- Lack of gender disaggregated data to allow for identification of vulnerable and at-risk persons

25 Hurricanes Irma and Maria in 2017

26 <https://www.icao.int/Meetings/TRIP-Jamaica-2017/Documents/ICAO%20TRIP%20Guide%20on%20BCM-For%20validation-16-11-2017.pdf>

27 <https://caricom.org/documents/16306-rsds2018.pdf>

FINDINGS: ENHANCING FREE MOVEMENT OF PERSONS DATA

- Relevant entities producing data in incompatible formats which undermines data flow and sharing
- Stakeholders and technocrats working in silos and lack of understanding on connectivity of free movement data
- Lack of e-governance systems at regional level
- Bureaucracy and protocols for data sharing within relevant entities cause delays in information/data flows²⁸ (e.g. Approvals needed before data can be shared)
- Lack of sufficient technical and high-level statistics experts

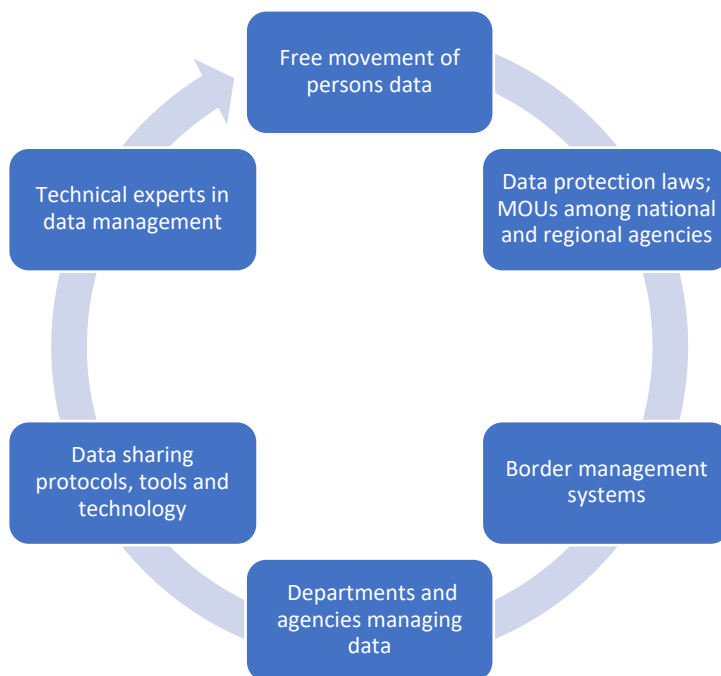
While there exists no comprehensive statistical database on human mobility and free movement within the ECEU, there are national actors collecting data that is relevant to understanding migration trends and patterns in the OECS PMs. A review of the data ecosystem (see Figure 7) shows potential data sources of free movement statistics including border management/immigration, labour force, social security, education and health data. Further examination of the types and quality of the data is required to derive a better understanding of the robustness and potential utility of the existing data. Improvements in the current data systems, however, will allow a more complete understanding of the nature and extent of human mobility, as well as migratory behaviours, including the services that are sought by OECS citizens who move and whether they are able to secure the assistance and amenities they seek. Data availability is also important for the overall planning process and measuring the effectiveness of strategies for preserving the sustainability of social and economic systems and services to adequately respond to the socioeconomic needs and demands of OECS citizens, while reducing potential disparities in accessing economic and social opportunities as they exercise their contingent rights.

Figure 7 illustrates the various aspects of the data ecosystem that are critical to the improvement of free movement of data within the OECS

28 Information/data flow refers to how data is requested, the consultation and communication among government entities that produce and manage data

FINDINGS: ENHANCING FREE MOVEMENT OF PERSONS DATA

Figure 7: Free Movement of Persons Data Ecosystem



Importance of Free Movement and Migration Data

Free movement in persons data generated by government departments and agencies includes statistical and administrative data that allow understanding of and planning for free movement through tracking and mapping flows, developing profiles, and identifying motivations and needs of OECS nationals who are moving. This data allow for monitoring progress and success as it relates to policy implementation at both the national and regional levels. Migration remains a sensitive and complex matter, and as reported by the UN 'has significant social, economic and environmental dimensions.²⁹ Data is therefore central in examining and assessing key migration trends and patterns - why people move, where they are moving to, the profile of persons moving, and what risks and opportunities they face because of their decision to move. The global pandemic, intensification of natural disasters and emerging Venezuelan and Haitian refugee situation have brought new challenges and important lessons for small island developing states related to human mobility and the need for rapid data. Migration, given the multi-faceted factors involved, also encompasses wider sustainability development opportunities and challenges. The creation and implementation of policy, strategic and programmatic responses for migration demands a coherent and systematic approach. Data, in this context, provide countries with valuable insights and a platform to strengthen and articulate more effective and responsive migration policies, laws and social services such as housing, education, health for OECS nationals and their family members.

²⁹ *ibid*

RECOMMENDATIONS FOR IMPROVED BMS AND ENHANCED DATA ON FREE MOVEMENT OF PERSONS

The recommendations below are organized based on short term (3 to 6 months) and medium to long term (over 6 months) recommendations related to:

1. Enhancing and integrating border management systems and functions
2. Enhancing data on free movement of persons

Enhanced Border Management Systems

As it relates to BMS, short term recommendations made by stakeholders interviewed include:

- Greater dialogue and workshops among border management personnel to discuss, share and explore best practices on BMSs. These sessions to be facilitated by the OECS Commission and would allow personnel to gain greater knowledge on how alternative systems work. Alternative systems for further review include the Migration Information and Data Analysis System (MIDAS), and the BMS used in Barbados.
- Use of online embarkation and disembarkation (ED) card
- Public awareness and sensitization with stakeholders on transition to online ED card at national, regional and international levels
- Inclusion of the category displaced persons or similar designation to 'purpose of visit' so that data is captured and can be added to analysis

In the medium to long term, recommendations include:

- Financial commitment to improve infrastructure at ports of entry including airport and seaport terminals. Infrastructural improvements include kios machines, networks and internet and security
- Where PMSs have different BMS, OECS Commission to lead on collective negotiations among PMSs and service providers of BMS to ensure revised agreements with necessary upgrades and common functionalities in core areas to allow regional data sharing of a minimum dataset
- Transition to common BMS where PMSs have greater ownership of movement of persons data
- Consideration of alternative systems should include robustness and versatility of the system. The system should allow for data ownership, should be able to query data and get results in real time, it should be able to stand up to the rigors of processing travellers across primary line without hiccups and should be sustainable.
- Legislative framework and reforms on data protection that allow for inter-agency sharing of API at the national level and regional level
- Need for a policy and strategy for a minimum dataset rather than a standardized data collection tool collecting the same free movement data in all countries
- Full implementation of JRCC Joint Relational Communication Center for data sharing.

RECOMMENDATIONS FOR IMPROVED BMS AND ENHANCED DATA ON FREE MOVEMENT OF PERSONS

Enhanced Data on Free Movement of Persons

As it relates to enhancing data on free movement of persons in the short term, the recommendations include:

- Increased dialogue and awareness building on importance of data to policy and development planning, demonstrating connections among various stakeholders such as social security, social protection, national security, foreign/external affairs, diaspora affairs
- Increased funding and building technical capacity (including ongoing training on new technologies and succession planning) to designate national statistics offices in PMSs as central repositories for migration data
- Ensure data are disseminated, accessible and transparent through public and online means. This helps create a culture of data sharing and underscores the importance of data to knowledge building and awareness
- In consultation with stakeholders, develop glossary of key human mobility and migration terms for PMSs
- Develop framework for a minimum dataset for national inter-agency and regional data sharing.

In the medium to long term, recommendations include:

- Accelerate legislative review and reform on data protection instruments
- Establish migration unit at the OECS Commission with sole responsibility for human mobility, migration and diaspora. This will foster dedicated focus and treatment of free movement as part of broader migration framework dedicated to addressing migration issues that are also key to the region's economic development (e.g., climate change resilience, infrastructure to improve connectivity and address labour shortages and diaspora engagement)
- Create a network of academic and policy-focused researchers to facilitate further research on migration-development nexus. This network could include: (1) identifying important issues in migration research, such as data collection and disaggregation for PMSs; (2) identifying and conducting outreach to experts in the field of migration to create a community of practice relevant to the OECS; (3) studying linkages between development funding in the Caribbean and intraregional migration; and (4) raising awareness about the importance of regional cooperation in Caribbean migration studies.
- Establish legal framework for National Statistical Offices to be given mandate on all data collection related to human mobility and migration

Building and improving the capacity of the national and regional statistical actors and systems in the OECS PMSs to collect, produce, analyse and disseminate free movement statistics is therefore essential in creating a coordinated and harmonized data system to respond to migratory changes, and support effective and efficient border management.

TOWARDS A MINIMUM DATASET PROTOCOL

VALUE OF A MINIMUM DATASET

Minimum datasets (MDSs) are useful and formidable tools for collecting and providing comprehensive and comparative data. They provide an ideal approach for routinely collecting migration data, as the resultant databases created allow for easier aggregation, and national and regional level analysis of migration and human mobility statistics. The recommendation from this study is for free movement of persons data to be understood and treated as part of a broader migration data framework. In keeping with this recommendation, the availability of comprehensive migration data is effective in helping to provide a clear understanding of migration and human mobility (including free movement) trends and patterns, supporting the development of responsive policies and programmes, and guiding the provision of relevant services. Such data can assist in the:

- Identification of the total number of persons moving under the free movement regime within the PMSs
- Monitoring and evaluation of service use and estimation of service demands and needs
- Examination and evaluation of sector responses to migration and human mobility under the free movement regime
- Monitoring and assessment of migration policy and programme impact
- Strengthening collaborative partnerships among PMSs for effective integration of Citizens of the ECEU

DEVELOPING A MINIMUM DATASET

This protocol for the development of a minimum dataset is to provide a framework to guide the collection of regionally consistent and comprehensive migration data within and across OECS - PMSs. The dataset is intended to capture relevant, robust and linkable data to provide insights into migration trends and patterns of the ECEU free movement regime, and to guide informed policy and programmatic decisions that support better social and economic outcomes and benefits for citizens of the ECEU. The minimum dataset, ultimately, as a key tool for migration planning and policy development, also supports the achievement of the anticipated outcomes and outputs of the Contingent Rights policy. The protocol, which outlines the procedures to be followed in the development of a minimum dataset, aims to establish and maintain standardization in practice, based on agreed standards for the collection, sharing and dissemination of administrative migration data.

Sources, Uses and Objectives of Administrative Data on Migration

Administrative data on migration is primarily generated through the routine operations of entities that provide immigration, border control and security and population related services. These include Immigration Authorities, Departments of Labour, Civil Registries or Registry Departments, National Statistical Offices, Tax Departments/Revenue Agencies, Social Security Departments, Educational Institutions and Health Departments. Administrative data

TOWARDS A MINIMUM DATASET PROTOCOL

on migration from border management, labour and immigration services, may include data generated from visas, work and residence permits, international and arrival and departure cards, tax and social security registers, schools and health records, and general population registers e.g., marriage or birth registrations. Administrative data on migration can support the achievement of priority objectives:

- Providing effective support to migrants to improve access to key social and economic opportunities and services
- Improving policies and programmes to support integration of migrants and ensure equal access to the same fundamental rights and freedoms of citizens
- Designing legislation, policies and programmes to prevent and respond to migrant challenges or irregular migration such as trafficking and forced labour
- Support improvement in service delivery and response by institutions

The data supports these priorities by providing information on wide-ranging issues, such as:

- The number of migrants having proof of legal identity and other relevant documentation to access key services and employment opportunities
- The utilisation and demand for different types of services, e.g., healthcare and education services
- The availability of mechanisms to ensure portability of social security benefits and other entitlements
- Information to monitor and evaluate existing programmes and policies to ensure implementation of the OECS Policy on Contingency Rights

While administrative data is a valuable source of information for human mobility and migration, it is important to note that such data on its own, is not able to provide an overall estimate of the magnitude of migrant flows or overview of the service and support needs of migrants.

Migration Data Sources in OECS

The main sources for migration data across OECS PMSs as identified by the research include:

- Departments of Immigration
- Departments of Labour
- National Statistical Offices
- Tourism Ministries, Departments and Agencies

Secondary data sources include:

- Education Departments
- Health Departments
- Social Security

TOWARDS A MINIMUM DATASET PROTOCOL

The main users of migration data are expected to be:

- Police
- Health Agencies and Departments
- Educational Institutions and Departments
- Social Security Department
- Tax or Inland Revenue Agencies and Department

MINIMUM DATASET- IDENTIFICATION AND DEFINITION OF KEY DATA ELEMENTS/VARIABLES

Data Harmonization- standards, definitions and classification

The adoption of uniformed standards, definitions and concepts related to migration are essential in creating a well-developed and functional minimum dataset for the collection of relevant migration and human mobility statistics. Section 4.2 of the RTB notes Member States shall “endeavour to coordinate, harmonise and undertake joint actions and pursue joint policies particularly in the fields of – ... (s) statistics.” The use of common definitions, data formats and data collection methods support the consistency, comparability and coherence of statistical information both in terms of collection and reporting across all groups. Harmonized data, in this regard, supports both improved data quality and utilisation, and also strengthens the use of data in decision-making. To support the production of harmonised data, it is recommended that the following guidelines be used in the development of the Free movement minimum dataset:

1. The International Organization for Migration ‘International Migration Law No. 34- Glossary on Migration’ for definitions of migration related terminology.
2. The CARICOM Regional Statistics Programme (RSP) Regional Statistical Work Programme for the Production of A Common Core of Quality Statistics (2015) for key statistical terms and definitions
3. The OECS Policy on Rights Contingent on the Right to Freedom of Movement within the Economic Union for key terms and definitions on the OECS free movement regime

Migration and Free Movement Regime Related Indicators

Indicators are a fundamental component of effective monitoring and evaluation systems and provide valuable data to guide decision-making. For migration policies and programmes in the OECS to be effective and achieve their desired outcomes, including the achievement of the Contingency Rights policy, it is important to have measurable indicators to determine if policy and programme responses are achieving their intended outcomes. These indicators are critical for identifying priority areas based on performance results, as well as identifying and providing greater insights into changing migration trends and patterns. Indicators that are developed to monitor the free movement regime must therefore generate information that is required and useful and must be clearly defined. The Contingency Rights Policy and the five (5) sustainable

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development goals (SDGs) indicators that are classified as being directly related to migration³⁰ should be used in identifying and defining a comprehensive listing of monitoring indicators for the free movement regime.

Based on the research findings, monitoring indicators should be developed to gather information on the following main areas below:

- Demographic characteristics of OECS citizens and their family/dependents
- Country of citizenship/nationality and residence
- Country of Origin and destination of OECS PMS citizens
- Main factors contributing to human mobility
- Migration and mobility patterns of citizens from PMSs (e.g. length of stay, immigration, emigration)
- Types of services PMS citizens are accessing
- Labour opportunities being accessed by PMS citizens and their spouses

Examples of potential indicators may include:

- Percentage of migrants that are female
- Proportion of migrant dependents that access education services/facilities
- Total number of migrants by country of birth and citizenship

Defining Variables

Agreeing to the contents of a minimum dataset is a critical first step in creating a minimum dataset. This is important as the key data elements to be included in the dataset must generate information which can monitor and measure the outcomes and key objectives and goals of the OECS free movement regime. Further it should be noted that stakeholders consulted during this study agreed that while more variables can be added, it is recommended to start out with a few key variables that can reasonably monitor multiple critical indicators. The minimum can be supplemented with an expanded dataset, as noted further below.

To be included at a starting point in the minimum dataset a variable must therefore support at least one of the following:

- Border control/ management- administrative processes and procedures in place to direct and authorize the movement of people and goods.
- Migration management- focused on the legislative and institutional framework established to manage migration and response to critical migration issues including displaced migrants

30 4.b.1 Volume of official development assistance flows for scholarships by sector and type of study
10.7.1 Recruitment cost borne by employee as a proportion of yearly income earned in country of destination
10.7.2 Number of countries that have implemented well-managed migration policies
10.c.1 Remittance costs as a proportion of the amount remitted
16.2.2 Number of victims of human trafficking per 100,000 population, by sex, age and form of exploitation

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- Labour migration
- Population change and management

Agreed variables should also provide the requisite data and information that is needed to monitor the established migration indicators.

The outcome of discussions on the scope of a minimum dataset with stakeholders identified the following key variables to be included in an enhanced free movement minimum dataset:

- i. Sex³¹ and age of migrant
- ii. Country of birth
- iii. Country of citizenship
- iv. Country of residence
- v. Dependents by sex and age
- vi. Migrants purpose/reason for entering country e.g., employment, settlement, education and training

Administrative variables to be included are:

- i. Case number or unique identifier number
- ii. Entry date in country
- iii. Port of entry (name)
- iv. Name of agency collecting data

Expanded dataset

Expanding the minimum dataset to include more variables may become necessary, particularly when programme responses require more details. Through a consultative process, MSs can determine if they wish to expand the minimum dataset, and what variables to add, based on the national requirements for data on migration. These may include the following variables

- i. Employment status
- ii. Marital status
- iii. Disability status
- iv. Gender and sexual identity
- v. Level of education

Finalisation of variables and indicators

It is recommended that there is broad consensus on the final variables to be included in the minimum dataset and the indicators to be monitored. The final dataset must also be easily integrated into the routine operations of institutions who are able to expand the dataset based on specific sectoral priorities. A minimalist but incremental approach is thus recommended in the development of the minimum dataset to ensure the collection of quality and useful data.

³¹ The issue of gender as a variable remains debatable among stakeholders included in the research

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DATA COLLECTION, MANAGEMENT, SHARING AND SECURITY

Standardized protocols to manage migration and human mobility data generated via the use of the minimum dataset will need to be developed. Protocols should cover the collection, sharing, management and security of free movement of persons data. Provisions should also be made simultaneously for all data collected from migrants to be stored and managed securely. Ideally, data sharing protocols and tools should be developed detailing the type of data that can be shared, with whom, and under what conditions. Thorough planning must be done to ensure that (a) useful data is collected; (b) data can be processed; and (c) data can be analysed in a meaningful way. Appropriate mechanisms for data sharing, e.g., memorandums of understandings (MOUs) can be considered for use among key institutions. Finally, it has been recommended that the national statistical offices be given the primary mandate for the management of data generated through the minimum dataset. This is to ensure that appropriate statistical confidentiality measures are adopted, including removal of unique identifiers, ensuring the resultant database has internationally comparable statistics.

Table 4: Free Movement of Persons Data Needs by Disaggregation.

Free movement of persons key element	Required data	Desired disaggregation	Remarks	Data source
Intra-ECEU movement	Travel /immigration pattern	Receiving; sending country	Border management data may be limited to headcount at a point in time	Administrative
Employment	Unemployment rate	women; youth; sector/industry	MSs are required to use the harmonised OECS questionnaire for the labour force survey	Survey
	Employment	women; youth; sector/industry; nationality	Social security agencies	Administrative
Education	School enrolment	grade/form; nationality	Ministry; school	Administrative
Health	Push and pull relating to access quality and cost of health and medical services	public and private; health conditions/ disease	poll; feedback survey; study	Unofficial
Social protection	Criteria for access to social safety nets	By social programme; sex; youth	Legislation, policy: to determine whether nationality is a discriminatory criterion	Administrative (beneficiary register)
	Criteria for access to labour market schemes	sex; youth	Legislation, policy: to determine whether nationality is a discriminatory criterion	Administrative (beneficiary register)
Resources	Budget allocation	By programme/ scheme	To address PMSs' concerns about the associated cost of hosting OECS citizens.	Administrative (budget estimates)

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