



**PROTOCOL
AMENDING THE REVISED TREATY OF
CHAGUARAMAS TO INCORPORATE THE
COUNCIL FOR NATIONAL SECURITY AND
LAW ENFORCEMENT AS AN ORGAN OF THE
COMMUNITY AND THE CARICOM
IMPLEMENTATION AGENCY FOR CRIME AND
SECURITY AS AN INSTITUTION OF THE
COMMUNITY**

PROTOCOL AMENDING THE REVISED TREATY OF CHAGUARAMAS TO
INCORPORATE THE COUNCIL FOR NATIONAL SECURITY AND LAW
ENFORCEMENT AS AN ORGAN OF THE COMMUNITY AND THE CARICOM
IMPLEMENTATION AGENCY FOR CRIME AND SECURITY AS AN INSTITUTION
OF THE COMMUNITY

PREAMBLE

The Parties to the Revised Treaty of Chaguaramas establishing the Caribbean Community including the CARICOM Single Market and Economy:

Recognizing the need to address traditional and new and emerging threats to the integrity of States and the protection of citizens of the Community;

Conscious of the ever-increasing importance of security to the Community and its crosscutting and fundamental nature;

Mindful of the importance, while pursuing the regional security agenda, of the need to safeguard human rights and promote effective justice systems and respect for the Rule of Law;

Recalling that the Conference of Heads of Government of the Caribbean Community at its Twenty-Sixth Meeting, held in Gros Islet, Saint Lucia, 5-7 July 2005 agreed to establish the Council for National Security and Law Enforcement (CONSLE);

Also recalling that the Conference approved the establishment of the Management Structure for the Crime and Security Agenda that includes the following elements:

- (i) A Council for National Security and Law Enforcement as an Organ of CARICOM, reporting to the Conference of Heads of Government through the Head of Government with lead responsibility for Crime and Security;
- (ii) The Security Policy Advisory Committee (SEPAC), comprising Permanent Secretaries, Advisors, or other Senior Policy Officials and Chairpersons of the Standing Committees of CARICOM Heads of Operational Entities;

- (iii) An Implementation Agency for Crime and Security (IMPACS), the nerve centre of this Management Framework and an Institution of CARICOM with primary responsibility for the implementation of the regional Crime and Security Agenda, reporting directly to the Council for National Security and Law Enforcement;

- (vi) Standing Committees of Operational Heads comprising-
 - (a) Commissioners of Police;
 - (b) Chiefs of Immigration;
 - (c) Chiefs of the Military;
 - (d) Comptrollers of Customs; and
 - (e) Heads of Intelligence and Financial Crimes,which will provide technical advice to the policy and political levels.

- (vii) A strengthened CARICOM Secretariat as it relates to Crime and Security;

Further recalling that on the 6th July 2006 at the Twenty-Seventh Meeting of the Conference held in St. Kitts an Agreement was concluded by ten Members of the Community establishing IMPACS and the Conference designated IMPACS an Institution of the Community;

Considering that it is necessary to adopt provisions to incorporate CONSLE as an Organ of the Community and IMPACS as an Institution of the Community;

HAVE AGREED as follows:

ARTICLE I

This Protocol amends the Revised Treaty of Chaguaramas establishing the Caribbean Community including the CARICOM Single Market and Economy signed by the Heads of Government of the Caribbean Community on 5 July, 2001 at their Twenty-Second Meeting of the Conference in Nassau, The Bahamas, (hereinafter referred to as "the Treaty"). The Treaty and this Protocol shall be read and interpreted together as one single document.

ARTICLE II

The Preamble to the Treaty is hereby amended by inserting the following new paragraphs immediately after the paragraph starting with "**Affirming Also**" and immediately before the paragraph starting with "**Recalling Further**".

"Recognising that the preservation of the territorial integrity of the Member States and the protection of their nationals and their property through a comprehensive, multifaceted and integrated policy on security and justice is fundamental to individual well being, sustained economic growth and social stability of the Community;

Striving to preserve the common heritage of the people of the Community founded on the principles of democracy, liberty of the individual and the rule of law;"

ARTICLE III

ARTICLE 1 of the Treaty is hereby amended by-

1. Inserting immediately after the definition of "Council for Foreign and Community Relations" or "COFCOR" the following new definition –

"Council for National Security and Law Enforcement" or "CONSLE" means the Organ of the Community so named in paragraph 2 (e) of Article 10;"

2. Replacing the definition of "**Ministerial Councils**" with the following new definition -

"Ministerial Councils" means COFAP, COFCOR, COHSOD, CONSLE and COTED;"

ARTICLE IV

ARTICLE 6 of the Treaty is hereby amended by-

1. Inserting immediately after paragraph (g) a new paragraph "**(gg)**" -

“(gg) the maintenance of the territorial integrity of Member States, the protection of nationals and their property, and the promotion of effective justice systems. Provided, however, that nothing contained in this subparagraph authorizes intervention in matters that are within the domestic jurisdiction of a Member State;”

2. Inserting immediately after the word "education" in subparagraph (iii) of paragraph (i) the following – **“security, justice, ”**

ARTICLE V

ARTICLE 10 paragraph 2 of the Treaty is hereby amended by-

1. Deleting the word “and” at the end of sub-paragraph (c);
2. Deleting the full stop at the end of sub-paragraph (d) and inserting-
“; and”
3. Inserting a new sub-paragraph (e)-

“(e) the Council for National Security and Law Enforcement.”

ARTICLE VI

Insert immediately after ARTICLE 17 of the Treaty the following as **ARTICLE 17A-**

“ARTICLE 17A

The Council for National Security and Law Enforcement

- 1. The Council for National Security and Law Enforcement shall consist of Ministers designated by the Member States. Each Member State shall be entitled to designate alternates to represent it on CONSLE.**

2. Subject to the provisions of Article 12, CONSLE shall, having regard to the multi-dimensional nature of security, be responsible for the formulation of regional security policies and the coordination of measures to give effect to the policies. Without prejudice to the generality of the foregoing, CONSLE shall:

(a) promote the development and implementation of a common regional security strategy to complement the national security strategies of Member States;

(b) establish and promote measures designed to-

(i) combat and eliminate threats to national and regional security;

(ii) ensure the expeditious and efficient mobilization and deployment of regional resources in order to manage and defuse national and regional security crises and to combat serious crimes in consultation with the relevant Member States;

(iii) preserve the territorial integrity of the Member States without intervention in matters that are within the domestic jurisdiction of Member States; and

(iv) gather, share and manage intelligence;

(c) establish measures to increase cooperation in mutual legal assistance in criminal matters among Member States;

(d) promote, in conjunction with Ministers responsible for Legal Affairs or Attorneys General of Member States or both, efficient national justice systems;

(e) give policy and overall directions concerning the activities and programmes of the Implementation Agency for Crime and Security (IMPACS);

(f) promote functional cooperation with the Organs of the Community referred to in Article 10 paragraph 2, in the pursuit of the Community's goal for the prevention and elimination of crime and violence and the promotion of a safe and secure environment within the Member States ;

(g) establish strategic partnerships with third States and regional and international agencies in the furtherance of regional security and the Community as a zone of peace with stable democracies; and

(h) undertake any additional functions assigned to it by the Conference arising under this Treaty.”

ARTICLE VII

ARTICLE 21 of the Treaty is hereby amended by adding the following immediately after “Caribbean Food and Nutrition Institute (CFNI)”-

“• CARICOM Implementation Agency for Crime and Security (IMPACS),”

ARTICLE VIII

SIGNATURE AND PROVISIONAL APPLICATION

This Protocol shall be open for signature by the Parties to the Treaty and shall be provisionally applied upon signature by all Parties to the Treaty.

ARTICLE IX

RATIFICATION

This Protocol shall be subject to ratification by the Parties to the Treaty. Instruments of ratification shall be deposited with the Secretariat which shall transmit certified copies to Members of the Community.

ARTICLE X

ACCESSION

After its entry into force, a Member of the Community may accede to this Protocol.

ARTICLE XI
ENTRY INTO FORCE

Pursuant to paragraph 2 of Article 236 of the Treaty, this Protocol shall enter into force one month after the date on which the last instrument of ratification is deposited with the Secretariat by the Parties to the Treaty.

IN WITNESS WHEREOF the undersigned representatives duly authorized in that behalf have executed this Protocol for their respective Governments.

DONE at _____ the _____ day of
2016

Signed by
for the Government of Antigua and Barbuda on the
at

Signed by
for the Government of Barbados on the
at

Signed by
for the Government of Belize on the
at

Signed by
for the Government of the Commonwealth of Dominica on the
at

Signed by
for the Government of Grenada on the
at

Signed by
for the Government of Haiti on the
at

Signed by
for the Government of the Co-operative Republic of Guyana on the
at

Signed by
for the Government of Jamaica on the
at

Signed by
for the Government of Saint Lucia on the
at

Signed by

for the Government of St. Kitts and Nevis on the

at

Signed by

for the Government of St. Vincent and the Grenadines on the

at

Signed by

for the Government of The Republic of Suriname on the

at

Signed by

for the Government of The Republic of Trinidad and Tobago on the

at