

# **AGREEMENT 12/18 TO AMEND AGREEMENT 16/96 ESTABLISHING THE INTERSESSIONAL PREPARATORY MEETING OF THE ASSOCIATION OF CARIBBEAN STATES**

**ASSOCIATION OF CARIBBEAN STATES (ACS)**

**25<sup>th</sup> INTERSESSIONAL PREPARATORY MEETING FOR THE 28<sup>TH</sup> ORDINARY  
MEETING OF THE ACS MINISTERIAL COUNCIL**

ACS Secretariat, Port of Spain, Republic of Trinidad and Tobago

(Virtual Meeting)

18<sup>th</sup> January, 2023

**ASSOCIATION OF CARIBBEAN STATES**

**23<sup>RD</sup> ORDINARY MEETING OF THE MINISTERIAL COUNCIL**

**Margarita Island, Bolivarian Republic of Venezuela, March 16, 2018**

**Agreement No. 12/18**

**AGREEMENT TO AMEND AGREEMENT 16/96 ON THE ESTABLISHMENT OF THE  
INTERSESSIONAL PREPARATORY MEETING OF THE ASSOCIATION OF  
CARIBBEAN STATES**

**The Ministerial Council,**

**Pursuant to:**

1. Articles IX (a) and (f) of the Convention establishing the ACS;
2. Agreement No. 8/17 Approving the Report of the Technical Working Group on the Revitalization Process of the ACS, approved at the 22<sup>nd</sup> Ordinary Meeting of the Ministerial Council as mandated in paragraph 37 of the Declaration of Havana of the VII ACS Summit; and which in paragraph I.6 modifies the terms of accreditation of the Representatives and the prerogatives of the Interseasonal Preparatory Meeting so that it has the ability to adopt decisions on matters concerning Human Resources; as well as organizational and administrative issues, bearing in mind the need to alleviate the workload of the Ministerial Council and in so doing facilitate greater focus on the substantive matters of the Association

**AGREES:**

1. To amend the preamble of Agreement 16/96 by:
  - (a) Adding a new fourth paragraph as follows: "Considering the need to alleviate the workload of the Ministerial Council and to facilitate the focus of efforts at the high level on the substantive matters of the Association" ; and

(b) Amending the subsequent paragraphs as follows:

“The need for the mandates of the Ministerial Council to be closely monitored; and to facilitate follow-up; and

The positive results which have arisen out of the practice of Members, since the inception of the Association, to convene technical preparatory meetings that require decisions;”

2. To amend paragraphs 1; 3; 4 (e), (f) and 6 of Agreement 16/96 as follows:

“1. To establish the Intersessional Preparatory Meeting of the ACS which will be made up of one (1) Representative of each Member and Associate Member that is duly accredited and empowered to make decisions on the agenda items, as well as by the Chairman of the Special Committees of the ACS.

“3. That the Intersessional Preparatory Meeting:

(a) has the competence and power to adopt decisions on the following matters:

- i. Human Resources and staff, with the exception of those pertaining to: Directors; increases in salary; and changes in staff structure which impact the budget; in which case recommendations will be submitted by the Intersessional to the Ministerial Council.
- ii. Organisational and administrative operations of the Association and the Secretariat provided that there are no budgetary implications.

(b) Debates and proposes decisions on issues related to budget and Senior Officials.

On all other matters the Intersessional Meeting shall agree on recommendations to be submitted for the consideration of the Ministerial Council.

4(e) To evaluate the operation of the General Secretariat, adopt decisions within its competence and submit recommendations on the matters to which it gives consideration, to the Ministerial Council.

(f) To adopt decisions within its competence or to submit for the consideration of the Ministerial Council proposals related to other matters to which it gives consideration.

6. To instruct the Chairman of the Intersessional Preparatory Meeting to prepare a report on each meeting, to be circulated to Members within thirty (30) days after the meeting.
3. That the Intersessional Preparatory Meeting will take place at least once per year, **within six (6) months prior to the Ordinary Meeting of the Ministerial Council.** Each meeting shall be chaired by the representative of the country holding the Chairmanship of the Ministerial Council.
4. To approve the text of the revised Agreement to read as outlined in Annex I.

**Agreement No. 16/96**

**ESTABLISHMENT OF THE INTERSESSSIONAL PREPARATORY MEETING  
OF THE ASSOCIATION OF CARIBBEAN STATES**

**The Ministerial Council:**

As established in Article IX, sub-paragraphs (a) of the Convention establishing the ACS which requires that the ministerial Council shall determine the actions and policies of the Association and (f) that requires shall determine the guidelines for the operation of the Association, and,

**CONSIDERING:**

The need for Members to give the Association all the support necessary to undertake the many activities scheduled;

The need to maintain a systematic and ongoing exchange of opinions between Members on various topics which fall under the purview of the Association;

The need for Members to maintain proper communication and co-ordination systems with the General Secretariat;

The need to alleviate the workload of the Ministerial Council and to facilitate the focus of efforts at the high level on the substantive matters of the Association;

The need for the mandates of the Ministerial Council to be closely monitored; and to facilitate follow-up; and

The positive results which have arisen out of the practice of Members, since the inception of the Association, to convene technical preparatory meetings, that require decisions.

**HAS AGREED:**

1. To establish the Intersessional Preparatory Meeting of the ACS which will be made up of one (1) Representative of each Member and Associate Member

- that is duly accredited and empowered to make decisions on the agenda items, as well as by the Chairman of the Special Committees of the ACS.
2. This Preparatory Meeting shall have an Executive Body, which will be formed by representatives of the three countries that constitute the Executive Board of the Ministerial Council.
  3. That the Intersessional Preparatory Meeting:
    - (a) has the competence and power to adopt decisions on the following matters:
      - i. Human Resources and staff, with the exception of those pertaining to: Directors; increases in salary; and changes in staff structure which impact the budget; in which case recommendations will be submitted by the Intersessional to the Ministerial Council.
      - ii. Organisational and administrative operations of the Association and the Secretariat provided that there are no budgetary implications.
    - (b) Debates and proposes decisions on issues related to budget and Senior Officials.

On all other matters the Intersessional Meeting shall agree on recommendations to be submitted for the consideration by the Ministerial Council.

4. To assign to the Intersessional Preparatory Meeting, inter alia, the responsibility to adopt recommendations to the Ministerial Council on the following tasks:
  - a) To recommend priorities for the many activities outlined in the Work Programme of the Association.
  - b) To assess on a periodic basis the achievement of mandates, the Work Programme of the ACS and those of the Special Committees, the Caribbean Sea Commission and the Council of National Representatives of the Special Fund.
  - c) To study proposals for changes to the Work Programme of the Association and those of the Special Committees, the Caribbean Sea Commission and the Council of National Representatives of the Special Fund, to be put forward for the consideration of the Ministerial Council.

- d) To evaluate the co-ordination and the communication systems which exist between the Members and the Secretariat.
  - e) To evaluate the operation of the Secretariat, adopt decisions within its competence and submit recommendations on the matters to which it gives consideration, to the Ministerial Council.
  - f) To adopt decisions within its competence or to submit for the consideration of the Ministerial Council proposals related to other matters to which it gives consideration.
5. That the Intersessional Preparatory Meeting will take place at least once a year, **six (6) months prior to the Ordinary Meeting of the Ministerial Council**. Each meeting shall be convened and chaired by the representative of the country holding the Chairmanship of the Ministerial Council.
6. To instruct the Chairman of the Intersessional Preparatory Meeting to prepare a report on each meeting, to be circulated to Members within **thirty (30) days** after that Meeting.