

Public Procurement Policy Considerations in the Caribbean: Trade, Governance & Development¹

by
Margaret Rose, LLB (Hons), LLM

Dedicated to Professor Norman Girvan (1941 – 2014)

This chapter examines public procurement policy within the Caribbean context. We first examine procurement policy in the context of broader, neoliberal market based reforms and its limiting effects on using public procurement as a socio-economic development tool. We then examine the state of various public procurement reforms in the Caribbean, as well as particular experiences such as disaster procurement. Third, we examine some broader developments such as relating to the Economic Partnership Agreement and some alternatives. This chapter finds evidence of instances in which public procurement is used toward furthering local economies, and the OECS stands out as a unique and unparalleled collaborative public procurement system among state groupings. However, much progress is yet to be made and Caribbean leaders are not yet seen ready to assume the responsibility for regionally relevant procurement policy development.

1. Policy Context: The 21st Century Procurement Policy Conundrum

The era post Washington Consensus², saw the largely unchecked growth of Anglo-American neoliberalism in the world economy until the 2008 global economic crisis. Approaches based on restrictive macroeconomic policy, liberalization of international trade and investment, privatization and deregulation became the order of the day. Underpinned by the philosophy that development is best achieved by making markets work better and preventing market failures, one consequence of the adoption of this economic philosophy was the international movement to harmonize law and policy relating to public procurement.

With the vigorous espousal of trade liberalization as essential to the goals of efficiency, best value and now good governance, the World Trade Organization (WTO), United Nations (UN), International Monetary Fund (IMF), World Bank and other International Financial Institutions (IFIs) trained their resources on standardizing international procurement rules and policies. Policies governing, how a government buys, when it buys

¹ This paper is dedicated to Norman Girvan (1941-2014), Economist, Author, Un Representative, Professor Emeritus

² Phrase coined in 1989 by economist John Williamson referring to the economic policy programmes embarked upon by the IMF and World Bank geared toward developing countries in crisis and which included policies relating to macroeconomic stabilization, economic opening with respect to both trade and investment, and the expansion of market forces within the domestic economy. See also Williamson, J., *What Washington Means by Policy Reform*, in J Williamson, ed., *Latin American Adjustment: How Much Has Happened?* Washington DC, Institute for International Economics 1990.

and from whom it buys which were traditionally considered “behind the border”³ issues were now considered hostages of the new economic order. Arguably, these policies have been among the most potentially influential devices in the management of the economic relations between the Global North and the Global South.

The impact of the neoliberalism on public procurement harmonization policy is evident.⁴ Without going further than the preambles of the respective international instruments, the stated objective of procurement policy standardization is primarily maximizing participation in the world economy regardless of nationality and promoting competition. Put simply, the objective is trade liberalization⁵. Open competitive procurement is *de facto* and *de jure* the default and the most efficient way to procure in order to obtain *best value for money*.⁶ However, of concern to the Caribbean and elsewhere is the absence, as a primary goal of these instruments, the objective of social, environmental and industrial growth and development⁷. The use of the public procurement function as a socio-economic development tool is still seen as a secondary, collateral and an entirely voluntary exercise. This remains so, despite more recent attempts of leading international public procurement policy experts to redefine the socio-economic uses of procurement as “horizontal policies” as opposed to collateral or secondary ones.⁸

In broad context, the open market creed is further reinforced via the “epistemological recycling” anchored in the curricula and textbooks in business and economics courses in universities around the world (Dash 2013). Accordingly, the view that market intervention over and above correcting for failures is bad and inimical to efficient purchasing is pervasively held in modern economics and such thinking has dominated economics education at all levels in both developed and developing countries.

This preoccupation with the ‘Anglo-American’ free market capitalistic model⁹ has had important consequences for developing states. Firstly, it obscures essential ‘procurement

3 Typically used to refer to issues relating to domestic structural reform, such as deregulation, competition policy, economic legal infrastructure, transparency, procurement, financial sector reforms

4 United Nations Commission on Trade and International Law (UNCITRAL), World Trade Organization, (WTO), International Monetary Fund (IMF), World Bank, InterAmerican Development Bank (IADB) etc

5 By example, the preamble to the UN Model Law 2011 which expresses the objectives of the law as “(a) Maximizing economy and efficiency in procurement; (b) Fostering and encouraging participation in procurement proceedings by suppliers and contractors regardless of nationality, thereby promoting international trade; (c) Promoting competition among suppliers and contractors for the supply of the subject matter of the procurement; (d) Providing for the fair, equal and equitable treatment of all suppliers and contractors; (e) Promoting the integrity of, and fairness and public confidence in, the procurement process; (f) Achieving transparency in the procedures relating to procurement.”

6 This is evident in Procurement standardization instruments at the international level like the UN Model Law on the Procurement of Goods Works & Services, the WTO GPA1994 and IFI and other donor procurement rules and procedures

7 There is discussion of the pursuit of socio-economic policy through the use of public procurement in the 2012 Guide to the UN Model Law on Procurement, in particular at Article 2 where definition of “socio-economic policy” is included; Articles 8-11 on participation, qualification, description of the subject matter of the procurement and evaluation criteria and procedures and Article 30 on sole source procurement, there are two caveats provided. Firstly, such use is made subject to Article 3 which expressly provides for international obligations to override Model Law provisions and prohibiting states from pursuing socio-economic policies if inconsistent with international obligations. Secondly, pursuit of socio-economic policies can be pursued through procurement only insofar as they are set out in other provisions of the law of the enacting State, or in the procurement regulations: they cannot be policies of the procuring entity alone.

8 Arrowsmith, S. ‘Horizontal Policies in Public Procurement: A Taxonomy’ *Journal of Public Procurement* Vol. 10, Issue 2, pages 149 -186

9 Chang H.J., Gabel I., *Reclaiming Development: An Alternative Economic Policy Manual* Zed Books 2014

linkages' (McCrudden 2007) critical for smaller, less developed states, which can and do have immense impact on national economic and social development. Secondly, it also avoids assessing the potential, relevance and transferability of alternative socio-economic models such as the social and solidarity economic model being explored in the Latin American region¹⁰ and the East Asian model popularly described as idiosyncratic¹¹.

Notwithstanding the incontrovertible evidence of the role of the capitalist system on growth and economic development generally, the benefit of the neoliberal 'free market' model to the industrial growth and development of smaller less developed states is seriously questioned. Leading Caribbean intellectual and economist Norman Girvan, for example, asserts that the theory's predictions of benign effects only follow under highly restrictive and unrealistic assumptions, which are not relevant to the experience of developing countries. Moreover, "*neoliberal integration may accentuate, rather than attenuate, differences in development;*" since the wealthier partners have a far superior ability to compete and trade; and governments of the poorer partners are deprived of "development policy space" (Khor 2008).

It is difficult to characterize free market veneration as an oversight or a mistake. For centuries industrial nations have carefully crafted the rules of the market for what the state buys, how it buys, from whom it buys and to whom it sells, in a manner that ensured a dominant, and asymmetrical space in the global economy. Some of the most successful industrial nations like the United States, United Kingdom and Japan have had deliberate public procurement policies (albeit shrouded within foreign investment and trade modalities), engaged in since prior to the industrial revolution pursuing protectionist agendas aimed at stifling foreign competition and stimulating domestic growth.

Up to present day, the United States aggressively pursues protectionist *Buy American*¹² policies in its Government procurement of goods and works implemented by legislation in 1933 and 1983. This policy was further extended and reinforced in 2009 in the wake of the financial crisis¹³. Additional 20th century examples can be found in the carefully designed interventionist measures of states like Singapore and Hong Kong combined with selective liberalization measures and foreign investment regulation which, have been touted as the reasons for their singular growth¹⁴.

10 See discussion on ALBA below

11 i.e. based on the distinctive historical, cultural and economic East Asian context. See *Reclaiming Development* supra at ft.10 38-40

12 *Buy American Act* (BAA-41U.S.C. ss10a-10d) 1933 which requires the US Government to prefer US made products in its purchases; *Buy America Act* 1983 which applies to mass-transit-related procurements;

13 *American Recovery and Reinvestment Act* of 2009 Section 1605 – Buy American "prohibits use of recovery funds for a project for the construction, alteration, maintenance or repair of a public building or public work unless all of the iron, steel and manufactured goods used in the project are produced in the United States. The genesis of this Buy American ethos spans right back to the Boston Tea Party in 1773, which punctuated a decade long nonimportation movement against British imports and fuelled the drive to promote, buy and use only domestically produced goods. This in turn escalated the movement for American independence from Britain.⁵ Economic nationalism is the root of United States economic policy and permeates its arrangements with other states to present day. See Frank, D. *Buy American: The Untold Story of Economic Nationalism*, Beacon Press, Boston, 1999 at page 4.

14 Sornarajah, M. *The International Law on Foreign Investment* 3rd Edition Cambridge University Press 2010 at pg 2 ft.2

The concept of tying aid where official or officially supported loans, credits or associated financing packages limited the procurement of the goods, works or services to the donor country or to a group of countries was up to very recently still being pursued by IFIs and countries in the Global North. This practice has been conceded as a form of protectionism rendering development costs, in some cases as much as 20% higher for recipient countries.¹⁵

Despite the uncontroverted evidence of industrial nations proactively linking procurement and trade policy in a manner not necessarily conducive to leveling the playing field, it would seem that in the 21st Century the same policy space is not to be afforded to developing and transition economies. The dismantling of preferential trade agreements, reduction of development assistance and the compulsory promotion of middle income developing countries and their resultant ineligibility for lending on concessional terms, grants and other trade concessions such as the generalized system of preferences are all features of the proverbial ladder being kicked away.¹⁶ Rich countries are banning the poor countries from using the very policies that made them rich.

This poses something of a policy conundrum for developing states in responding to the competing interests of international trade, accountability and industrial growth and development. The strategic power of a state in the purchasing function as both market creator (primary buyer), regulator (force of law) and influencer (participator in the market) is uncontroversial and it has always been incumbent on governments to harness that power to further industrial, social and environmental development. However, application of discriminatory or protectionist procurement policies aimed at stimulating sustainable national socio-economic development may raise trade barriers which run afoul of being pressed by the institutions and the countries of the Global North. That said, notably, CARIFORUM¹⁷ states have been able to hold off from signing on to the WTO-Government Procurement Agreement (GPA).¹⁸

15 The full definition of *tyed aid* as defined by OECD is: "Tied aid credits are official or officially supported Loans, credits or Associated Financing packages where procurement of the goods or services involved is limited to the donor country or to a group of countries which does not include substantially all developing countries (or Central and Eastern European Countries (CEECs)/New Independent States (NIS) in transition)." Donor members of the Development Assistance Committee (DAC), a subcommittee of the OECD, agreed to virtually untie all aid to the Least Developed Countries (LDCs), and this recommendation entered into effect on January 1, 2002. However, the untying of bilateral aid is without a deadline, and an European Network on Debt and Development (Eurodad) report in 2011 found that many countries had reneged on their promises to untie aid and at least 20% of bilateral aid remains formally tied. Researchers estimate that \$69bn – more than half of the total official development assistance – is spent each year buying goods and services for development projects. For example, in 2009, 67% of aid from Greece was given on the condition that Greek contractors were used on development projects. In the same year 54% of Austrian aid was tied, along with 50% of Korean aid and 39% of Portuguese aid.

16 Ha-Joon Chang, *Kicking Away the Ladder: Development Strategy in Historical Perspective*, London Anthem Press 2002

17 CARIFORUM grouping includes CARICOM Member states and Dominica Republic. In 2001 CARICOM and Dominica Republic (CARICOM-DR) entered into a Free Trade Agreement in which the Parties agreed to work toward a harmonized public procurement policy. The CARIFORUM is the agreed umbrella organization for the negotiation of the trade agreements with third states.

18 The WTO Agreement on Government Procurement (WTO-GPA) 1994 includes rules relating to transparency and "natural treatment" of suppliers, covers procurement of goods works and services by "covered" entities and the guaranteeing of fair and non-discriminatory conditions of international competition. Traditional reluctance of developing countries to accede to the WTO GPA has been based on the perception that the non-discrimination and national treatment provisions of the Agreement facilitate increased market opening to foreign competition which in turn, it is felt, would cripple the growth of domestic industry and capacity within the developing state. As the number of developing states observing and/or negotiating access to the GPA in the last decade has been steadily increasing, it would seem that this reluctance to engage has been lessening.

Ignoring real market failures and relying on false assumptions of equality and perfect access to market information the harmonization of public procurement rules to secure more open competitive markets, ironically facilitates a global economy unsympathetic to growth, development and information asymmetries among states and contributing to proliferating income inequality gaps. As cracks in the economic order began to show and financial fragility rose through the 2000s, some economists conceded that the economics profession had botched “*by failing to promote and sustain a diversity of views among its members over matters that are terribly complex and important, and by failing to provide market actors, policymakers and citizens with a careful assessment of the potential risks of financial deregulation and the reward risk profiles of alternative regimes. These mistakes were avoidable.*”¹⁹ As Norman Girvan stated:

“We are therefore navigating an issue [public procurement] that lies at the intersection of governance, public administration, development and trade negotiations. In this task the main assets we bring to the table are our own knowledge, skills and experience. I come from a school of thought that believes we must think these things through for ourselves. Cultural transplants and policy transplants do not work. Policies, practices and systems must be home-grown; borrowing from the best available and adapting it to our own circumstances and objectives” (Girvan 2000).

While it has been very difficult for Caribbean states to independently²⁰ to articulate a coherent framework for harnessing the potential synergies or managing the tensions between them, and confronting the neoliberal zeitgeist, public procurement policy is one area in which the search for greater development impact has been played out.

2. Caribbean²¹ Public Procurement Policy Reform

Despite international pressures, public procurement regulatory reform within CARICOM²² member states remains largely underdeveloped, although it is fair to say that reform initiatives have definitely stepped up over the last decade²³. Even where legislation does exist, Mckoy (2012) has pointed out that the principal governance challenge facing Commonwealth Caribbean states is ‘moral hazard’ through a lack of accountability and critical enforcement capacity²⁴.

Caribbean states have been characterized as experiencing the traits of “unreformed procurement systems” (Schrouder, 2011). Features of unreformed systems include

19 DeMartino G., *Consequences of Economic Downturn: Beyond the Usual Economics*, Martha A. Starr Ed. New York: Palgrave Macmillan 2011, 25-44

20 Without the funding and resources of IFIs and other international organisations which promote the Anglo American neoliberal economic model for development

21 Caribbean here refers to the English Speaking Caribbean

22 The Caribbean Community (CARICOM) established by the Treaty of Chaguaramas in 1973 is an organisation of 15 Caribbean nations and dependencies (Antigua & Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, St.Kitts & Nevis, St. Lucia, St. Vincent & the Grenadines, Suriname, Trinidad and Tobago,). CARICOM's main purposes are to promote economic integration and cooperation among its members, to ensure that the benefits of integration are equitably shared, and to coordinate foreign policy.

23 See Table 1.0 Status of National Legislative Public Procurement Reforms - CARICOM

24 Mckoy, D.V., *Corruption: Law, Governance and Ethics in the Commonwealth Caribbean* 2012

“limited professional knowledge and expertise, the absence of effective institutional coordination, inadequate financial planning, lengthy delays experienced by suppliers in receiving payment for goods and services supplied, high incidence of malpractice combined with unethical conduct such as interference and insider dealings” (See Agaba and Shipman 2006).

Save in respect of Jamaica, Belize, Guyana, Grenada and Haiti, which states have undertaken some level of public procurement legislative reform in the last decade, the legislative landscape for the remaining CARICOM member states is characterized by the interaction of multiple poorly coordinated and in some cases, outdated legislative texts, relics of the British Colonial legal system²⁵. In these latter states fledgling reform efforts are underway with public procurement bills being bounced back and forth between legislative drafting departments, Cabinets, public comment and Parliaments. There are no comprehensive legislative frameworks governing the function of public procurement and it is not specifically addressed in the Constitutions of CARICOM member states with the exception of Guyana and Suriname.

Table 1

1.0 Status of National Public Procurement Legislative Reforms – CARICOM

Country	Existing Legislation	Proposed Reforms
Antigua & Barbuda	Tenders Board Act Chap. 424 as amended by the Tenders Board Amendment Act 2002	Since 2010 Procurement & Contract Administration Bill under consideration by Parliament.
Bahamas	Financial Administration and Audit Act 1973 (Chap.329)	Financial Administration and Audit (Amendment) Bill 2013 including provisions for establishment of Public Procurement Board and EPA Compliance
Barbados	Financial Administration and Audit Act 1964; Financial Administration and Audit (Drug Service) Rules 1980, the Financial Administration and Audit (Financial) Rules 1971, and the Financial	Draft Public Procurement Bill 2011 currently undergoing further revision

	Administration and Audit (Supplies) Rules 1971	
Belize	Contractor General Act No.6 of 1993; Finance and Audit Act 2000; Finance and Audit (Reform) Act, 2005	
Dominica	Finance and Audit Act No. 8 of 1965	Draft Public Procurement Bill before Cabinet since 2007, revised in 2010 and 2011
Grenada	Finance and Audit Act 1964; Finance and Audit Amendment Act 1998. Public Procurement and Contract Administration Act 2007	Public Procurement and Administration Act not implemented after criticism from OECD ²⁶ – regulations required to give full effect to the legislation not yet promulgated.
Guyana	Constitution Amendment 2000; Procurement Act 2003; Fiscal Management and Accountability Act 2003; Audit Act 2004	
Haiti	Public Procurement Act 2009	
Jamaica	Financial Administration and Audit Act (FAA) 1959; Contractor General Act No. 15 of 1983. Public Sector Procurement Regulations 2008; Revised Handbook of Public Procurement Procedures (March 2014)	New comprehensive Public Procurement Bill and Draft Regulations being considered

Montserrat	Public (Management and Accountability) Act 2008; Public Finance (Management and Accountability) Regulations 2011	New Draft Procurement Bill being considered
St. Kitts & Nevis	Finance Act 1990 Regulations (FR) and Financial (Stores) Regulations by virtue of (i) The Financial Rules, 1998 [First Schedule] and (ii) The Stores Rules 1998 [Second Schedule] of the Finance and Audit Amendment Act 1998 (Act No. 25 of 1998)	New Draft Procurement Bill being considered
St. Lucia	Finance Administration Act 1997 (Act No. 3 of 1997) to regulate procurement. MOF issues Financial Regulations (FR) and Financial (Stores) Regulations by virtue of (i) The Financial Rules, 1998 [First Schedule] and (ii) The Stores Rules 1998 [Second Schedule] of the Finance and Audit Amendment Act 1998 (Act No. 25 of 1998)	Procurement Bill revised and before Cabinet since 2011
St. Vincent & the Grenadines	Financial and Audit Act 1964; Financial Regulations (FR) and Financial (Stores) Regulations by virtue of (i) Financial and Stores Rules of the Windward Islands 1952; (ii) Manual of Tender Procedures (issued on November 21, 1967 as Statutory Rules No. 101-	

114)

Trinidad and Tobago	Central Tenders Board Draft Public Procurement & Ordinance 1961 as amended Disposal of Property Bill 1979m 1987, 1991, 1993); 2010, revised in 2014 Exchequer & Audit Act; currently being considered
----------------------------	---

The lack of independently resourced regulatory bodies with responsibility for monitoring the public procurement function, or formal complaints and/or dispute resolution bodies for procurement disputes or functioning centralized public procurement information systems all represent additional substantial gaps in domestic public procurement systems. Lack of capacity at the institutional, professional and research levels also presents a substantial challenge.

That is not to say, that there is no evidence of the very strategic use of the public procurement function by Caribbean governments to pursue socio-economic and political goals. It is interesting to observe that several Caribbean states that are yet to undertake substantial procurement reform have had some success when proactively linking the function to development goals.

Organization of Eastern Caribbean States (OECS)

The OECS is a regional outlier of sorts with functional cooperation in the area of procurement being far more advanced than what obtains at the CARICOM level. One initiative is the establishment of a Pharmaceutical Procurement System, a self-financing public sector monopsony or buyers' cartel that covers its operating cost from a 15% surcharge. According to reports, cost savings demonstrated that regional prices were as much as 44% lower than individual country prices. The continuous annual cost-savings accruing after 16 years of the joint purchasing arrangement have reinforced the OECS/PPS as an excellent cost-benefit model of economic and functional cooperation among OECS member countries.²⁷

Another OECS initiative is the electronic Public Procurement System (e-PPSS) being implemented since 2013, a web-based, collaborative system used to facilitate the full lifecycle of a tendering process, for both buyers and suppliers. It offers a secure, interactive, dynamic environment for procurements of any nature, size, complexity or value, enforcing and encouraging best practices. Able to support the well-established PPS for the procurement of pharmaceutical products, the e-PPS is said to facilitate efficiency gains, while promoting core principles and regulations on public procurement such as transparency, security, availability, non-discrimination and equality of treatment.²⁸

²⁷ See more at: <http://www.oecs.org/our-work/units/pharmaceutical-procurement#sthash.0QsZt20c.dpuf>

²⁸ Source: <https://procurement.oecs.org/epps/home.do>

Notable here, is the innovation and cooperation evidenced by the undertaking of these two practical procurement reforms and the demonstrable value achieved by the states, whilst yet not undertaking comprehensive statutory procurement reform at the regional or national levels.

Trinidad and Tobago

Yet to legislate a comprehensive public procurement reform framework, this country shows evidence of the strategic use of public procurement to achieve socio-political objectives. TT is the largest exporter of Liquefied Natural Gas (LNG) to the US and experiences a positive balance of payments position with all of its Caribbean trading partners and the US and Canada.²⁹ TT is now said to have become the first “gas-based” economy in the world and in 2012 emerged as the sixth largest LNG exporter in the world (Small 2006). Further, this tiny twin island state with a population of approximately 1.3 million has risen to the Presidency of the Gas Exporting Countries Forum³⁰. After experiencing two oil booms in 1973 and again in 2008, the economic development of Trinidad and Tobago is pursued largely independently of international aid or foreign loans or grants. One of the consequences of this is that the country’s public procurement processes are therefore not dominated by guidelines issued by international bodies and lending organizations, as in the case of its’ less resource-rich CARICOM counterparts.

Notwithstanding significant governance weaknesses from a decentralized procurement system with no regulatory public procurement framework for the plethora of state controlled enterprises utilizing public monies, Trinidad and Tobago has pursued a fairly aggressive socio-political use of the public procurement function. Though, attracting strong criticism from some sectors for the manner in which the initiatives are implemented³¹, they evidence political recognition that chaste market approaches in the function of procurement do not always serve society in a way, which supports socio-economic growth and development.

Examples of this strategic use of the public procurement function can be found in the Unemployment Relief Programme (URP) and continued under the Community-based Environmental Protection and Enhancement Programme (CEPEP). The URP, in its earliest incarnation as the Depressed Areas Programme, emerged in 1957 and was launched by the government as a strategy to alleviate the depressed economic conditions of the communities in which it began. Essentially, it was established as a model to secure temporary, irregular employment opportunities at minimum or below minimum wage in order to implement community infrastructure maintenance and development projects. On one hand, this can be viewed as a method of procuring community infrastructure

29 US Energy Information Administration (EIA), Country Data, Trinidad and Tobago – Country Analysis Note : As the largest oil and natural gas producer in the Caribbean, Trinidad and Tobago’s hydrocarbon sector moved from an oil dominant to a mostly natural gas based sector in the early 1990s. In 2012, Trinidad and Tobago was the world’s sixth largest LNG exporter, according to BP’s 2013 Statistical Review. The country is also the largest LNG exporter to the United States, accounting for nearly 65% of U.S. total LNG imports in 2012.

30 David Small, *Trinidad and Tobago: Natural Gas Monetization As A Driver Of Economic And Social Prosperity*

31 Relating to nepotism, cronyism and political patronage. The criticisms are not without merit and it is suggested is inevitable given the lack of transparency and accountability in the procurement framework

maintenance and development services by targeting unemployed persons for temporary service contracts.

The CEPEP Company Ltd established in 2008 implements environmental cleanup and beautification projects, coastal improvement and cleanup projects, dead animal removal projects, disaster and emergency response projects, illegal dump site removal projects and waste removal and eco sites management services. Instead of procuring these works and services through traditional procurement processes or via in-house provision, these projects are implemented in Environmental Work Areas (EWAs) and the projects are organized on the basis of deploying contracting companies in EWAs which are responsible for recruiting and managing their workers in order to achieve the beautification targets.³²

The National Social Development Programme (NSDP) is designed to meet the needs of low-income communities throughout the country by providing and improving the supply of water and electricity to communities, residences, recreational, sporting and other facilities, the programme also supplies house-wiring services to people who are unable to afford the cost of wiring their own homes. The NSDP fund is established and state enterprises receive these monies with the specific mandate of targeting MSMEs for the provision of the works and services under pre-determined thresholds.

It must be emphasized that these initiatives are plagued by allegations of corruption, political patronage, waste and mismanagement. These allegations are not without merit, given the lack of regulatory framework, transparency and accountability in the selection of contractors and employees. Nonetheless these initiatives represent a determined effort by the government of Trinidad and Tobago to harness the socio-economic impact of the public resources, for example, targeting vulnerable communities as the primary recipient of the contracts to provide the services.

The inverse relationship between more bureaucratic rules and procedures and the flexibility to pursue socio-economic goals requires a balancing approach to achieve the desired outcomes of good governance and accountability on the one hand and efficiency and socio-economic objectives on the other. It is a central premise of this paper and the opinion of the author that this balancing exercise is critical and is not suited to a “one size fits all” approach. At the regional and national levels, research must be undertaken to ascertain where the rules aimed at competitive procurement should end and flexibility to pursue national socio-economic objectives should begin.

Haiti – Disaster Procurement

Disaster Procurement can be seen as a unique opportunity to build back better. According to UN Secretary General Ban Ki-moon “*procurement can and should be more than an operational step. It should be a crucial tool in the development itself. It should stimulate local markets and drive innovation.*” Local procurement in disaster relief can be strategically used in reconstruction projects by spending the development dollar twice

³² See CEPEP Company Ltd Website for more details <http://cepep.co.tt>

and creating a multiplier effect for each reconstruction dollar. By hiring a national or local firm, growth of the local private sector is stimulated, spurring long-term income and job creation. Buying locally in the immediate aftermath of a disaster may also help local entrepreneurs and firms to compete with outsiders. Local procurement has a long list of benefits, fostering the local private sector, building local capacity and increasing sustainability, strengthening local government and increasing accountability between government and citizens, and improving the cost effectiveness of aid.

Nonetheless, it would seem that after disaster struck Haiti in 2010, this crucial opportunity to “build back better” was missed. On January 12th 2010 a 7.0 earthquake hit Haiti. The earthquake affected almost 3.5 million people, including the entire population of 2.8 million people living in the capital, Port-au-Prince. The Government of Haiti estimated that the earthquake killed 222,570 and injured another 300,572 people. Displacement peaked at close to 2.3 million people, including 302,000 children. The earthquake destroyed 105,000 houses and badly damaged at least another 188,383 houses. Sixty per cent of Government and administrative buildings, 80 per cent of schools in Port-au-Prince and 60 per cent of schools in the South and West Departments were destroyed or damaged. Total earthquake-related loss is estimated at \$7.8 billion, equivalent to more than 120 per cent of Haiti’s 2009 gross domestic product. This disaster was followed by the Cholera epidemic ten months later and Hurricane Sandy in October 2012.

Disaster relief and humanitarian assistance from foreign governments, international agencies, corporations, NGO’s and private citizens amounted to well over USD 9Billion in pledges aimed at providing urgent relief to the Haitian citizens and to aid the critical reconstruction effort. Despite this outpouring, it is uncontroversial to state that the humanitarian effort has not yet met its objectives. Four years on, much of the conversation surrounding the Haitian earthquake relief and recovery effort has centered on allegations of charities squandering money, the gains of US contractors and how Haitians themselves received very little money³³.

In a Special Report in 2012 and giving account for his stewardship of the effort Former President of the United States Bill Clinton noted that only about 10 percent of the total \$6.04 billion currently disbursed had been channeled to the government of Haiti. Other reports³⁴ state that of the \$379 million in initial US aid for Haiti, nothing went directly, or in some cases even indirectly, to Haiti, and about one-third was actually given directly back to the US to reimburse themselves for sending in their military. The UN Special Envoy for Haiti reported that of the \$2.4 billion in humanitarian funding, 34 percent was

33 See Huffington Post, *Haiti Earthquake Recovery 3 years Later: Where Has the Money Gone? Infographic*, January 11, 2013 http://www.huffingtonpost.com/2013/01/12/haiti-earthquake-recovery-2013_n_2451267.html. Note as well remarks of former Haitian Prime Minister, Michele Pierre-Louis, “If you ask what went right and what went wrong, the answer is, most everything went wrong. There needs to be some accountability for all that money”.

34 Quigley, B and Ramanauskas, A - *Haiti: Where is the Money?* - Researcher Version 4th January 2012 http://www.haitiaction.net/News/BQ/1_4_12/1_4_12.html

provided back to the donor's own civil and military entities for disaster response, 28 percent was given to UN agencies and non-governmental agencies (NGOs) for specific UN projects, 26 percent was given to private contractors and other NGOs, 6 percent was provided as in-kind services to recipients, 5 percent to the international and national Red Cross societies, 1 percent was provided to the government of Haiti, four tenths of one percent of the funds went to Haitian NGOs.

Haitian companies capable of providing relief and reconstruction services were bypassed in the relief process just like the Haitian government. The Center for Economic and Policy Research (CEPR) audited the 1490 contracts awarded by the US government from January 2010 to April 2011 and found only 23 contracts went to Haitian owned companies. Overall the US had awarded \$194 million to contractors, \$4.8 million to the 23 Haitian companies. On the other hand, contractors from the Washington DC area received \$76 million. In September 2010, yet another example of the exclusion of Haitians can be found in the Haitian Neighbourhood Return and Housing Reconstruction Framework established by the IHRC. The framework, intended to guide reconstruction, was not published in draft form in Creole so local people could review it and did not engage in consultation with the displaced persons on any level.

A close look at the disaster relief and recovery effort in Haiti in the post 2010 earthquake reveals that an unfettered environment for aggressive tied aid agendas allowing donor countries and agencies to target contracts for their own member countries and organisations. Cloaked under the veneer of an emergency, a plethora of no bid contracts were handed out well into the reconstruction period.

Interestingly, Haiti is one of the few CARICOM States that had undertaken comprehensive public procurement reform within the last decade, but did not achieve results. In early 2005, the government of Haiti crushed by debt and eager to please donors adopted a new Procurement Decree that created the National Commission for Public Procurement (CNMP) and affirmed the use of competitive purchasing norms; standard bidding documents and manuals were also introduced to government procurement staff. By June 2009, a new Procurement Law was enacted by Parliament, adapting Haiti's procurement rules to international good-practice standards, so called. Despite this regulatory overhaul, it would seem that, mere months later in the aftermath of the first quake in January 2010, this public procurement system heavily sponsored by the international procurement harmonization movement did not attract widespread confidence from the very international and multi-lateral aid agencies. It was by-passed.

Haitian leaders hamstrung by crippling social and economic conditions after the tragedy readily agreed to the setting up of the Interim Haiti Recovery Commission (IHRC) as a planning body for the recovery efforts. The IHRC which was co-chaired by former President of the United States Bill Clinton and the then Haitian Prime Minister, Jean-Max Bellerive, was hailed as one of Haiti's great hopes, a Haitian-led international

partnership, given a 18 month mandate to oversee an ambitious array of rebuilding projects. However, by October 21, 2011 the IHRC was defunct³⁵.

3. Status of Regional Reforms

While Caribbean states had been able to hold off on acceding to the WTO-GPA, this regional defiance did not necessarily go under the radar³⁶. Market opening strategies were pursued and achieved by the Global North indirectly through IFI loan conditions, “tied aid” programmes and more recently attempted through the negotiation of Free Trade Agreement (FTAs) and Bilateral Investment Treaty (BITs) seeking to impose transparency in public procurement and competition obligations.³⁷

This notwithstanding, Caribbean policymakers have overtly persisted in regional integration efforts. By the Revised Treaty of Chaguaramas 2001, CARICOM member states agreed to establish the Caribbean Single Market & Economy (CSME). The CSME is the guiding instrument for regional integration and involves the free movement of goods, services, skilled people and capital among member countries, the right of establishment of CARICOM nationals anywhere in the Community, a common external tariff (CET) and a coordinated foreign trade policy.³⁸

The establishment of the CSME has been seen as a “legitimate response to ‘globalisation and liberalization’ and ‘the attainment of international competitiveness’”. With its emphasis on ‘a single development vision’ the hope is that the region can improve its international competitiveness through functional cooperation and the exploitation of institutional and resource synergies among member states.³⁹ At the same time the Community has also concluded trade agreements with Cuba and Dominica Republic and has established trading and other economic arrangements with Brazil, Costa Rica, Mexico and Venezuela.⁴⁰

35 See Report of the Center for Economic and Policy Research, *IHRC Mandate Ends – 18 Months with Little to Show*, October 2011

36 Note the impact of the CARIFORUM – EC – Economic Partnership Agreement 2008, which will be considered in more detail below.

37 Free Trade negotiations between CARICOM and the US, CARICOM and CANADA and other third states are at present at somewhat of a stand-off as CARICOM attempts to stand firm on unreasonable demands for opening of regional markets and removal of import tariffs. In the sixth and last round of the CARICOM-CANADA negotiations, Governments particularly in the OECS are rejecting efforts by Canada to trade off hundreds of its products to the grouping with little or no import taxes. US and CARICOM signed a Trade and Investment Framework Agreement (TIFA) in 2013. The new TIFA modernizes the previous 1991 Agreement, taking into account subsequent developments in the region, notably the multilateral trading environment created by the WTO and the implementation of the CSME in 2006. The updated Framework Agreement, includes an “Initial Action Agenda,” covering a wide range of topics, such as trade and investment facilitation, multilateral cooperation, intellectual property rights, labor rights, social and environmental protection, and the elimination of barriers to bilateral trade. However the TIFA reads more like a declaration of intentions rather than a concrete agreement with predictable outcomes.

38 Antigua & Barbuda, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, St.Kitts and Nevis, St. Lucia, St. Vincent & the Grenadines, Suriname and Trinidad and Tobago currently actively participate in the CSME. Note though Montserrat is treated as though it is part of CSME formal approval from the United Kingdom has been denied to this state which is a British Overseas Territory.

39 Hall, K., *The Pertinence of CARICOM in the 21st Century: Some Perspectives*, Trafford 2012, Chapter 12 *Caribbean Development in a Changing Global Environment*

40 Dominance of the neoliberal school of thought in the Caribbean integration movement is evidenced by schemes which have generally taken the form of “Open Regionalism” i.e. the symmetrical lowering of trade and investment barriers *intra* and *extra* regionally (Girvan 2000). This “strategic global repositioning” is a school of thought more fully described by Hall in *The Pertinence of CARICOM in the 21st Century: Some Perspectives*, Trafford 2012, Chapter 12 *Caribbean Development in a Changing Global Environment*

Against this backdrop the move for regional integration of public procurement policy has been pursued. Article 239 of the Revised Treaty provides the justification for the establishment of a regional Public Procurement Regime. To date, the Community has undertaken a significant volume of work regarding the establishment of a Community Regime for Public Procurement. A 2003 project commissioned by the CARICOM Secretariat drew some dismal conclusions about the state of regional public procurement systems characterizing them as in disarray and dysfunctional, made up of poorly coordinated and outdated enactments and decrees, weak enforcement, limited protections for bidders, limited professional and institutional capacity, and corruption and integrity management challenges. The general conclusion was that the present procurement regimes were counter-productive to the CSME efforts.

CARIFORUM EC-EPA

In 2008 the CARIFORUM countries⁴¹ formally executed the Economic Partnership Agreement (EPA) with the EC⁴² and this singular act provides the strongest evidence of regional un-preparedness for designing and articulating its own public procurement policy geared toward regional socio-economic, environmental and industrial development. The distinguishing feature of this post Cotonou⁴³ agreement was the ending of trade preferences and the introduction of the principle of reciprocity. Girvan (2013) regards EPAs as “concrete legal-institutional expressions of asymmetrical neoliberal economic integration between countries and groups of countries”.

CARIFORUM has achieved the ubiquitous status of being the first grouping of developing states in the African, Caribbean and Pacific (ACP) community to enter into an EPA with the EC containing public procurement rules and conditions⁴⁴. This development is ignominious for several reasons. Firstly, the agreement with the EC was arrived at despite the failure of CARIFORUM states (and to date even CARICOM) to implement, an intra-regional protocol for Government Procurement. According to Girvan (2013), the EPA now undermines regional integration efforts in favour of a scheme of integration in which Caribbean states are incorporated into an EC economic zone with free movement of goods, services, capital and shared policies and laws in the areas of competition, intellectual property and public procurement. Secondly, whereas CARIFORUM states have steadfastly refused to engage and participate in the WTO-GPA precisely for the perceived unfairness of a level playing field to developing countries, it has nonetheless signed the EPA including WTO-GPA plus conditions specifically as it

41 The Caribbean Forum (CARIFORUM) is a subgroup of [African, Caribbean and Pacific Group of States](#) and serves as a base for economic dialogue with the [European Union](#)

42 The CARIFORUM EC EPA was executed by the CARIFORUM countries on 15th October 2008. By 2013 six CARIFORUM states (Antigua and Barbuda, Barbados, Belize, Dominican Republic, Guyana and Trinidad and Tobago) had already ratified the EPA

43 The Cotonou Agreement was the most comprehensive partnership agreement between developing countries and the EU. Since 2000, it has been the framework for the EU's relations with 79 countries from Africa, the Caribbean and the Pacific (ACP).

44 See Chapter 3 Title IV of the CARIFORUM EC EPA

relates to public procurement.⁴⁵ Thirdly, the institutional arrangements in the EPA undermine economic governance within CARICOM. By the establishment of institutions with supra-national authority for the enforcement of the provisions⁴⁶, which in fact, supersede the governance arrangements within CARICOM. Fifthly, and perhaps most damning for the regional integration effort, the EPA promotes asymmetrical development by the application of reciprocal benefits based on the level of compliance of individual member states and not as a trading block.⁴⁷

Some EPA supporters have argued that the Agreement does not provide for non-discrimination and national treatment for foreign based companies but Article 167 expressly provides for non –discrimination and national treatment for foreign companies operating through a locally incorporated subsidiary, while there are little to no barriers to establishment. Other EPA supporters argue that the agreement promotes Caribbean development because it is a trade agreement supported by development assistance and which targets sustainable economic development, the progressive integration of CARIFORUM countries into the world economy and the elimination of poverty. They believe it can become a model for agreements between developed and developing countries”⁴⁸

The ability of CARIFORUM member states to take advantage of the touted benefits of the EPA has been heavily challenged. The EU population is 20 times greater and its economy is 88 times larger and its average per capita is 4.5 times higher than CARIFORUM states Girvan (2011). The inevitable restriction on the ‘policy space’ of CARICOM governments to pursue national and regional socio-economic policies and to develop South-South cooperation cannot be underestimated when one attempts to assess the relevance of the EPA provisions.

Girvan argues that EU firms will have an enormously superior capacity to compete and invest relative to Caribbean firms most or all of which are thoroughly unprepared to take advantage of the new export opportunities that the agreement supposedly makes available; and that the majority of Caribbean governments are not equipped with the institutional capacity and the financial resources to implement its onerous obligations. Girvan agitates for the agreement to include targeted resource transfers to support regional development; non-tariff barriers in European markets and most importantly sufficient policy space for regional governments to stimulate new markets and local industry. Sir Ronald Sanders, a leading regional academic and former diplomat notes that so far the EPA has not delivered promised market access for Caribbean goods and services, and has not realised any significant new investment.⁴⁹

45 See Kelsey, J., *Legal Analysis of Services and Investment in the CARIFORUM-EC EPA: Lessons For Other Developing Countries*, South Centre Research Paper No. 31, July 2010.

46 See Part III, CARIFORUM EC EPA

47 Girvan, N., *Economic Partnership & Asymmetrical Integration: An EU-Caribbean Tale*, Presentation at workshop on Alternative Trade, St. Mary's University, Halifax, N.S. November 1-2, 2013

48 Hall, K., *The Pertinence of CARICOM in the 21st Century: Some Perspectives*, Trafford 2012, Chapter 12 *Caribbean Development in a Changing Global Environment*

49 Sanders, Ronald 2013 *A year of lost opportunities for Caribbean Countries*
<http://www.sirronaldsanders.com/viewarticle.aspx?ID=414>

ALBA – An Alternative Integration Model ?

The *Allianza Bolivariana para los Pueblos de Nuestra America* (Bolivarian Alliance for the Peoples of Our America, ALBA) was launched in 2004 as a regional alternative to the neoliberal model of integration.⁵⁰ With three CARICOM member states⁵¹ choosing to become members of ALBA, it is not over stressing the point that there is some relevance at both the practical and theoretical levels at looking at it comparatively.

ALBA was founded by Cuba and Venezuela and was originally put forward as the 'Bolivarian Alternative' to the FTAA. It is now promoted as a model of integration based on principles of cooperation, solidarity, complementarity and sovereignty. ALBA is operationalised through inter-governmental agreements for reciprocal trade, finance and technical cooperation.

The ALBA integration approaches differs from neoliberal approaches in the following ways⁵²

- Key principles are “complementarity, as an alternative to competition; solidarity as opposed to domination; cooperation as a replacement for exploitation; and respect for sovereignty rather than corporate rule”.
- Financial cooperation is an integral and major element
- Social cooperation is an integral and major element.
- A la carte participation an negotiated flexibility rather than Single Undertaking. Each member accedes on individually negotiated terms and its participation in trade and ALBA projects is negotiated on a case-by-case basis.
- Trade can be a means of settlement of financial and/or social cooperation
- Asymmetrical and non-reciprocal market access in favour of smaller and/or weaker member economies
- Tariff protection of infant industries allowed
- Provision for counter-trade arrangements; i.e. direct product exchanges.
- Creation of the 'sucre', an accounting currency unit used to value bilateral and multilateral trade among the members and to settle balances. In effect, this permits multilateral counter-trade. Participation is not mandatory for members.
- Recognition of the role of the state in development and in economic regulation
- Public procurement as an instrument of national economic development
- Protection of citizens' rights to basic social services (i.e. from privatisation and commercialisation)
- Protection of labour rights
- Protection of the rights of indigenous people
- Protection of 'Mother Earth' (the environment)
- Rights to development and health take precedence over intellectual and industrial

50 See ALBA 2004. Note originally the "A" in the acronym stood for Alternativa, denoting alternative to the US sponsored FTAA; this was changed after the collapse of the FTAA negotiations.

51 Antigua & Barbuda, Dominica and St. Vincent & the Grenadines

52 Girvan (2011)

- property rights
- Privileging of production for the national market and satisfaction of the needs of the population
- Privileging of communal and cooperative enterprises and of small and medium enterprises
- Submission of foreign investors to national law in Dispute Resolution
- Rapid responsiveness and creativity in developing new programmes; e.g. ALBA Food Security Initiative and ALBA Haiti Earthquake Relief Fund
- Formation of Grandnational Enterprises— multi-country state-to-state joint ventures for dedicated purposes in several areas.
- Political solidarity on threats to member states (such as the U.S. embargo on Cuba, the Honduras coup of 2009, the Colombia-U.S. bases agreement of 2009, and the attempted coup in Ecuador in 2010). Member countries are free to abstain or reserve their position.

As members of ALBA, Antigua & Barbuda, Dominica and St. Vincent & the Grenadines have benefited from financial assistance in the form of soft loans and grants for projects in housing, major infrastructure, security and agriculture. In 2011 Antigua & Barbuda received 125 scholarships for study in Cuba and high social impact projects feature significantly targeting vulnerable communities.⁵³

It is the view of the author that these principles of solidarity and collaborative economics represent a substantial and exciting departure from neoliberal integration approaches which seek to address the development asymmetries existing between developed and developing nations. The role of solidarity economic theory on public procurement policy is an area in need of research.

4. Conclusion: Democratizing the Global Economy – The Challenge for the Caribbean

While English Speaking Caribbean States are still toeing the neo-liberalist line, the rest of the world is waking up to the stark reality that such policies are the root cause for the social, environmental and economic injustices being experienced across the globe⁵⁴. According to Dash, “the failure of the hegemonic global capitalist economic system also breeds opportunities to think and work on alternative visions of a good society and build pathways for that – opportunities to work on a ‘paradigm of reversals’”.⁵⁵

53 For a more detailed exposition on the benefits of ALBA as compared to CARIFORUM and CARICOM see Girvan, N, *Is ALBA a New Model of Integration? Reflections on the CARICOM Experience*. International Journal of Cuban Studies, September 2011.

54 Piketty, T., *Capital in the Twenty-First Century*, Harvard University Press (2014)

55 Dash, A. *Towards an Epistemological Foundation for Social and Solidarity Economy*, Draft paper prepared for the UNRISD Conference, *Potential and Limits of Social and Solidarity Economy* 6–8 May 2013, Geneva, Switzerland

Procurement reform cannot be undertaken in a blinkered fashion. Procurement is inextricably tied to a country's/region's development which is inextricably tied to the effectiveness of the economic system upon which it is based. Therefore in developing a public procurement regulatory model, the region's development goals should be more than rhetorical. More imperative is a clear appreciation for the nature of the underlying economic premises the public procurement system will be serving. Are competitive approaches always the most efficient approaches? Can cooperative procurement approaches (of the type currently being pursued by the OECS) or bartering and/or solidarity approaches (of the type being pursued by Venezuela and Cuba) perhaps provide more value for Caribbean states?

Will Caribbean leaders abdicate their responsibility to undertake more robust evidence-based policymaking by continuing simply to rubberstamp outdated, externally driven models for reform or will they in recognizing the 'linkages' between procurement and development, procurement and trade and procurement and good governance, develop regional and domestic policies which will address the distinct legal, social and economic realities with which they are faced?

If recent developments in trade negotiations (CARIFORUM EC EPA), and the disaster relief and recovery efforts in Haiti are a guide as to how these questions will be answered, then it could be argued that Caribbean leaders are not yet ready to assume the responsibility for regionally relevant procurement policy development. However this view is myopic in its' failure to appreciate that in both the areas of trade negotiations and disaster relief and recovery the developing state is severely compromised in their ability to negotiate on an even playing field.

Perhaps a more provocative measure of the state of public procurement policy reform in the Caribbean can be found in the innovation of the OECS standing out as a unique and unparalleled collaborative public procurement system among state groupings. Also the Trinidad and Tobago 2013-2014 reform efforts should be considered. A far cry from the regurgitation of a standard based on the UN Model Law 2011, the reform effort is quite avant-garde in its formal acceptance of "national economic and social development" as a key objective of the procurement system.

An interesting comparator is the state of the economies of the CARICOM member states that have undertaken traditional public procurement regulation like Jamaica, Haiti, Belize and Guyana as compared with Trinidad and Tobago, Barbados and the OECS, which as yet, have not so undertaken. What is the relationship if any, between public procurement regulation compliant with the international harmonization agenda and development? Could there be a positive correlation between the absence of regulation mandating open competitive procedures as the default procurement method, (thereby allowing for greater flexibility to pursue national socio-economic development through protectionist and buy local mechanisms) and sustainable development and growth?

Unfortunately however, the potential of avant-garde non-neoliberal approaches to public procurement reform remain hampered by a dearth of scholarship. Although, new uses and

approaches to social economy have substantially grown in recent times, this “Other” economy is virtually missing in the curriculum and textbooks of business and economics⁵⁶. This omission reflects the almost complete submission to the paradigm of the “single bottom line of profit”, through control of the process of reproduction of our knowledge system, which can not explain models that use different goals, incentives, processes and structures. The unchecked growth of corporatism within the present global neo-capitalist economic system is also a stumbling block for leaders of developing markets attempting to steer their economies.

The 2008 financial crisis has spawned an era of pervasive and persistent loss of confidence in existing economic norms. This presents a singular opportunity for developing countries to eke out more leverage in negotiations with the Global North and stimulate greater interrogation of the “one size fits all” harmonization agenda persistent in public procurement policy discourse and to engage in the sort of “active economic citizenship” in the global economy recommended by Chang (2011) and Girvan (2013).

An epistemological revolution⁵⁷ is what is required and also the courage of Caribbean academics and policymakers to critique policy reforms being pressed by the countries and institutions of the Global North, which perpetuate inequalities and inefficiencies and ultimately undermine our opportunity for self-determination within the global economic system.

⁵⁶ Schugurensky and McCollum of the Southern Ontario Social economy Research Alliance, survey on social economy contribution to the Canadian economy

⁵⁷ Braidotti 2009

References

Agaba, E., and Shipman, N., *Public Procurement Reform in Developing Countries: The Uganda Experience Advancing Public Procurement: Experiences Innovation and Knowledge Sharing*, (2006) pgs 373-391

Amsden, A. *Securing the Home Market, A New Approach to Korean Development* UNRISD Research Paper 2013-1 (Posthumously published)

Arrowsmith, S. *Horizontal Policies in Public Procurement: A Taxonomy* Journal of Public Procurement Vol. 10, Issue 2, pages 149 -186

Chang H.J., *Kicking Away the Ladder*, London Anthem Press (2002)

Chang H.J., Grabel I., *Reclaiming Development: An Alternative Economic Policy Manual* Zed Books (2014)

Chang H.J., *23 Things They Don't Tell You About Capitalism*, Penguin (2011)

Dash, A. *Towards an Epistemological Foundation for Social and Solidarity Economy*, Draft paper prepared for the UNRISD Conference, *Potential and Limits of Social and Solidarity Economy* 6–8 May 2013, Geneva, Switzerland

DeMartino G., *Consequences of Economic Downturn: Beyond the Usual Economics*, Martha A. Starr Ed. New York: Palgrave Macmillan (2011)

Frank, D., *Buy American: The Untold Story of Economic Nationalism*, Beacon Press, Boston, (1999)

Gayle-Sinclair, S., *Public Procurement and International Trade Agreements: Smaller Developing Economy Considerations from a CARICOM Perspective*, IPPC (2006)

Girvan, N., *Some Lessons of the CARIFORUM-EU EPA Trade Negotiations Insights*, Vol. 8, October 2009

Girvan, N. *Is ALBA a New Model of Integration? Reflections on the CARICOM Experience* Revised version of paper presented at the ALBA Conference at the London Metropolitan University, January, 29th, 2011. *International Journal of Cuban Studies*, September 2011.

Girvan, N., *Economic Partnership & Asymmetrical Integration: An EU-Caribbean Tale*, Presentation at workshop on Alternative Trade, St. Mary's University, Halifax, N.S. November 1-2, 2013

Hall, Kenneth O., *The Pertinence of CARICOM in the 21st Century: Some Perspectives* Trafford (2012)

Kapur, D and Webber R, '*Governance-related Conditionalities of the IFIs*', G-24 Discussion Paper Series No.6, Geneva, UNCTAD, (2000)

Kelsey, J., *Legal Analysis of Services and Investment in the CARIFORUM-EC EPA: Lessons For Other Developing Countries*, South Centre Research Paper No. 31, July 2010.

Marshall, A., *The Surprising Design of Market Economies*, University of Texas Press (2012)

McCrudden, C. *Buying Social Justice*, Oxford University Press, (2007)

Mckoy, D.V., *Corruption: Law, Governance and Ethics in the Commonwealth Caribbean* (2012)

Paulraj, A., Chen, I.J., Flynn, J., 2006. *Levels of strategic purchasing: impact on supply integration and performance* Journal of Purchasing and Supply Management 12 (3), pages 107–122

Piketty, T., *Capital in the Twenty-First Century*, Harvard University Press (2014)

Sanders, R., *Reflections on the OECS at 25* in Hall, Kenneth and Chuck-A-Sang (eds.) CARICOM Single Market and Economy: Genesis and Prognosis. Kingston: Ian Randle Publishers (2007):

Schrouder, S., *Public Procurement in the Caribbean: Confronting the Challenges and Opportunities*, (2010)

Small, D. *State Strategies For Managing Oil and Gas Resources* Official Centenary Publication, Trinidad and Tobago Celebrating a Century of Commercial Oil Production - FIRST Magazine, April 2009

Small, D. - *Trinidad And Tobago: Natural Gas Monetization As A Driver Of Economic And Social Prosperity*. Proceedings of World Gas Conference World Gas Conference, June 2006

Sornarajah, M. *The International Law on Foreign Investment* 3rd Edition Cambridge University Press (2010)

Tassabehji Rana and Moorhouse Andrew (2008) *The changing role of procurement: Developing professional effectiveness*, Journal of Purchasing & Supply Management 14 (2008) 55–68

Williamson, J., *What Washington Means by Policy Reform*, in J Williamson, ed., *Latin American Adjustment: How Much Has Happened?* Washington DC, Institute for

International Economics (1990)

Yülek, M.A. and Taylor, T.K. (Eds.), *Designing Public Procurement Policy in Developing Countries*, Springer (2012)

Electronic Sources

Assessment of Public Financial Management in Grenada using the PEFA PFM performance framework (2009) http://ec.europa.eu/europeaid/what/economic-support/public-finance/documents/grenada_pefa_report_en.pdf

Center for Economic and Policy Research, *IHRC Mandate Ends – 18 Months with Little to Show*, October 2011 **Global Europe, Competing in the World**, European Commission, External Trade
http://trade.ec.europa.eu/doclib/docs/2006/october/tradoc_130376.pdf

Jepma, Catrinus J., *The Tying of Aid* Paris: OECD (1991)
<http://www.oecd.org/development/pgd/29412505.pdf>, accessed November 2013

Luckey, J.R. (2012), *Domestic Content Legislation: The Buy American Act and Complementary Little Buy American Provisions*, CRS, available online
<http://www.fas.org/sgp/crs/misc/R42501.pdf>

Quigley, B and Ramanauskas, A., - *Haiti: Where is the Money?* - Researcher Version 4th January 2012 http://www.haitiaction.net/News/BQ/1_4_12/1_4_12.html accessed November 2013

Raymond, A., *An Overview on the Civil Society Submission to the Joint Select Committee on Public Procurement*, 26th April 2011,
<http://www.raymondandpierre.com/procurement/article02.html>, accessed November 2013

Stotzky, Irwin P., *Haiti Human Rights Investigation* Center for the Study of Human Rights, University of Miami School of Law, November 11-21, 2004
http://web.archive.org/web/20070810081052/http://www.law.miami.edu/cshr/CSHR_Report_02082005_v2.pdf, accessed Nov, 2013

Ziemblicki, B. *The Controversies over the WTO Dispute Settlement System*, (2009), available online <http://www.bibliotekacyfrowa.pl/Content/32203/0014.pdf>

Wilkinson, B., *CaribCan or Can't Survive*, Caribbean Life News, April 4th, 2014
http://www.caribbeanlifeneews.com/stories/2014/4/2014_04_02_bw_caribbean.html

