



**AGREEMENT ESTABLISHING THE
CARIBBEAN PUBLIC HEALTH AGENCY
(CARPHA)**

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The Contracting Parties:

Desirous of a Caribbean in which the health of the people is promoted and the risk of disease, injury and disability is diminished, thereby fostering the wellness revolution enunciated in the Port of Spain Declaration issued by the Conference of Heads of Government of the Caribbean Community (the Conference) at its Summit on Chronic Non-Communicable Diseases (CNCDs) on 15 September 2007;

Considering the initiative for Caribbean Cooperation in Health (CCH), introduced in 1984 at a meeting of the CARICOM Conference of Ministers responsible for Health as a mechanism for health development through increasing collaboration and promoting technical cooperation among countries in the Caribbean, and formally adopted and elaborated by the Conference of Heads of Government in the Nassau Declaration on Health 2001: "The Health of the Region is the Wealth of the Region", Nassau, The Bahamas, 6 July 2001;

Mindful of the existence in the Caribbean of the following five Regional Health Institutions (RHIs) –

The Caribbean Epidemiology Centre (CAREC), administered by the Pan-American Health Organisation (PAHO) for the Caribbean region including Members of the Caribbean Community;

The Caribbean Environmental Health Institute (CEHI), established by an Intergovernmental Agreement among Members of the Caribbean Community in 1972 and recognised as an Institution of the Caribbean Community;

The Caribbean Food and Nutrition Institute (CFNI), administered by PAHO for the Caribbean region, including Members of the Caribbean Community, and recognised as an Institution of the Caribbean Community;

The Caribbean Health Research Council (CHRC), established originally in 1972 as the Commonwealth Caribbean Medical Research Council (CCMRC) by Ministers responsible for Health in the Caribbean; and

The Caribbean Regional Drug Testing Laboratory (CRDTL), established by an Intergovernmental Agreement among Members of the Caribbean Community concluded on 16 December 1974;

Acknowledging that there has been a number of gaps in the functions and services being provided by the RHIs, in addition to some overlap in the exercise of these functions in the region;

Recalling the mandate of the Conference at its Twenty-First Meeting in Georgetown, Guyana in July 2002 to review the efficiency and effectiveness of the five RHIs with a view to guiding decisions on their strengthening or restructuring to better serve the health needs of the Caribbean region;

Desirous also of implementing the decision of the Conference, taken at its Twenty-Eighth Meeting, held in Barbados 1-4 July 2007, to integrate the five RHIs into a Caribbean public health agency; and

Acknowledging also the concurrence of PAHO to the integration of the functions of its two centres, CAREC and CFNI into the Caribbean Public Health Agency to be established by the Caribbean Community,

Have agreed as follows:

Article 1 Use of Terms

In this Agreement, unless the context otherwise requires:

"Agreement" means the Agreement Establishing the Caribbean Public Health Agency;

"Associate Member" means an Associate Member of CARPHA admitted pursuant to Article 3;

"Board Member" means a member of the Executive Board;

"CAREC" means the Caribbean Epidemiology Centre, administered by PAHO for the Caribbean region including Members of the Caribbean Community;

"Caribbean Community" means the Caribbean Community established by the Revised Treaty;

"CARPHA" means the Caribbean Public Health Agency established by Article 2;

"CCH" means the Caribbean Cooperation in Health which is the regional strategic framework for cooperation in health approved by the Conference of Ministers responsible for Health and endorsed by the Conference of Heads of Government of the Caribbean Community in the Nassau Declaration, in July 2001;

"CEHI" means the Caribbean Environmental Health Institute, established by an Intergovernmental Agreement among Members of the Caribbean Community in 1972;

"CFNI" means the Caribbean Food and Nutrition Institute, administered by PAHO for the Caribbean region, including Members of the Caribbean Community;

"CHRC" means the Caribbean Health Research Council, established originally in 1972 as the Commonwealth Caribbean Medical Research Council (CCMRC) by Ministers responsible for Health in the Caribbean;

"COHSOD" means the Council for Human and Social Development of the Caribbean Community;

"Council" means the Council of Ministers established by Article 7;

"CRDTL" means the Caribbean Regional Drug Testing Laboratory, established by an Intergovernmental Agreement among Members of the Caribbean Community concluded on 16 December 1974;

"Executive Board" means the Executive Board established by Article 6;

"Executive Director" means the Executive Director of CARPHA appointed pursuant to Article 13;

"organ" means an entity established by Article 6;"

"Member" means a country which has signed the Agreement;

"PAHO" means the Pan-American Health Organisation, an international public health agency, which is the World Health Organisation (WHO) Regional Office for the Americas and part of the United Nations System;

"Revised Treaty" means the Revised Treaty of Chaguaramas Establishing the Caribbean Community including the CARICOM Single Market and Economy, signed on 4 July 2001 at Nassau, The Bahamas;

"RHIs" means the regional health institutions, which are to be incorporated into CARPHA. These are: CAREC; CEHI; CFNI; CHRC; and CRDTL;

"Secretary-General" means the Secretary-General of the Caribbean Community;

"Technical Advisory Committee" means the committee established by Article 11.

Article 2 Establishment of CARPHA as an Institution of the Caribbean Community

1. There is hereby established the Caribbean Public Health Agency (hereinafter referred to as "CARPHA") having the composition, objectives-and functions set out in this Agreement.
2. CARPHA has been designated an Institution of the Caribbean Community pursuant to Article 21 of the Revised Treaty.

Article 3 Membership

1. Membership of CARPHA shall be open to the Members and Associate Members of the Caribbean Community.
2. The Council may admit as Associate Members of CARPHA, States or Territories in the Caribbean region which, in the opinion of the Council, can contribute substantially to the achievement of the objectives of CARPHA and are able and willing to enjoy the rights and discharge the obligations set out in this Agreement.
3. States or Territories mentioned in paragraph 2 who are desirous of becoming Associate Members of CARPHA, shall submit an application in that regard to the Executive Board which shall submit the application to the Council for consideration and action.
4. The Council may admit as Observers to CARPHA, Community Institutions and other organisations which contribute to the objectives of CARPHA.
5. Notwithstanding the provisions of paragraph 4, the following organisations are hereby recognised as meeting the conditions to be admitted as Observers and shall be invited by the Council to participate in the work of CARPHA on mutually agreed terms and conditions:

- (a) the Caribbean Community Climate Change Centre (CCCCC);
- (b) the Caribbean Disaster Emergency Management Agency (CDEMA);
and
- (c) PAHO.

Article 4 Objectives

The objectives of CARPHA shall be:

- (a) to promote the physical and mental health and wellness of people within the Caribbean;
- (b) to provide strategic direction, in analysing, defining and responding to public health priorities of the Caribbean Community;
- (c) to promote and develop measures for the prevention of disease in the Caribbean;
- (d) to support the Caribbean Community in preparing for and responding to public health emergencies;
- (e) to support solidarity in health, as one of the principal pillars of functional cooperation in the Caribbean Community; and
- (f) to support the relevant objectives of the CCH as approved by the Council.

Article 5 Functions

In order to achieve its objectives set out in Article 4, CARPHA shall perform the following functions:

- (a) provision of an evidence base for public health decision-making and policy in the Caribbean, including the definition, collection, maintenance and analysis of minimum data sets, health situation analysis, critical analysis of the impact of social and other determinants of health and response to public health interventions;
- (b) conduct of relevant research on public-health priorities in the Caribbean;
- (c) provision of support and coordination of the development of regional standards and networks related to laboratory practice;
- (d) coordination of effective responses to public health crises in the Caribbean;
- (e) provision of leadership in defining effective public health interventions in the Caribbean and development and adaptation of relevant models for various circumstances;

- (f) provision of accurate, reliable, timely and relevant public health information to various Caribbean and international audiences;
- (g) enhancement of national capacities to deliver public health goods and services to address new and emerging public health priorities in the Caribbean, through on-going teaching, training and collaboration;
- (h) production of an annual report on the state of public health in the Caribbean region;
- (i) building strategic alliances with regional and international partners;
- (j) mobilisation of resources for priority public health issues;
- (k) monitoring global agreements and developments that may impact on Public Health; and
- (l) implementation of measures to attain the approved objectives of the CCH.

Article 6 Composition of CARPHA

CARPHA shall have the following organs with the functions specified in this Agreement:

- (a) the Council of Ministers;
- (b) the Executive Board;
- (c) the Technical Advisory Committee; and
- (d) the Technical Secretariat including an Executive Director.

Article 7 The Council of Ministers

1. The Council of Ministers (the Council) shall comprise the Ministers responsible for Health of the Members of CARPHA. The Council shall meet once every year during meetings of the COHSOD and in extra-ordinary session as often as the Council considers necessary or expedient.

2. Each member of the Council shall be entitled to designate an alternate Minister or an alternate representative to represent the Minister on the Council if the Minister is unable to act. Where the designated alternate is not a Minister, the alternate representative shall be vested with the authority of the Minister or with the authority to make policy decisions at the meeting on behalf of the Minister being so represented.

3. Subject to paragraph 6 of this Article, each member of the Council shall have one vote. The Council shall take decisions by a two-thirds majority vote of its members entitled to vote, and such decisions shall be legally binding. The Council shall make recommendations by a simple majority vote. Recommendations shall not create legally binding obligations. Decisions in

respect of the contribution of Members or the budget of CARPHA shall be made by consensus.

4. The Council may admit observers to its deliberations and Associate Members shall be entitled to be observers at the deliberations of the Council, but such observers shall not have the right to vote.

5. The Council may recommend to the Members suspension from its membership of Members whose Governments have persistently violated obligations assumed by or under this Agreement. In taking decisions pursuant to this paragraph, the representative against whose country action is being taken shall not have the right to vote.

6. Subject to this Article, the Council shall establish its rules of procedure.

Article 8 Functions of the Council

In furtherance of the objectives of CARPHA, the Council shall –

- (a) be the principal policy-making organ of CARPHA and shall determine the policy of CARPHA;
- (b) promote and advocate policies and programmes to protect health and prevent disease, including the implementation of an improved public health infrastructure;
- (c) promote and advocate the implementation of an improved public health infrastructure, including epidemiology and laboratory services;
- (d) mobilise technical, financial, and information resources on behalf of Members to address important health problems;
- (e) disseminate information to governments and other agencies for the purpose of improving health and preventing disease;
- (f) appoint the members of the Executive Board pursuant to Article 9;
- (g) give general or specific policy directions to the Executive Board;
- (h) approve the senior staff positions to which Article 14 applies;
- (i) approve the cooperative and other arrangements to be entered into by CARPHA as proposed by the Executive Board;
- (j) conduct periodic reviews of the adequacy of the provisions of this Agreement and the policies and measures designed to address public health in the Caribbean Community;
- (k) recommend to the Members the contributions of Members and Associate Members to the budget of CARPHA in accordance with Article 7(3);
- (l) consider and approve the recurrent and capital budgets of CARPHA on the recommendations of the Executive Board in accordance with Article 7(3);