



BELIZE

**TRADE AND ECONOMIC COOPERATION AGREEMENT
(CARICOM/CUBA) ACT**

CHAPTER 24:05

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CHAPTER 24:05

TRADE AND ECONOMIC COOPERATION AGREEMENT
(CARICOM/CUBA)

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CHAPTER 24:05

TRADE AND ECONOMIC COOPERATION AGREEMENT (CARICOM/CUBA) ACT.

9 of 2002.

[14th September, 2002]

Short title.

1. This Act may be cited as the Trade and Economic Cooperation Agreement (CARICOM/CUBA) Act.

Interpretation.

2. In this Act, unless the context otherwise requires,

“the Agreement” means the Trade and Economic Co-operation Agreement between the Caribbean Community (CARICOM) and the Government of the Republic of Cuba, signed on the 5th of July, 2000, the original of which is deposited with the Secretary General of the Caribbean Community and of which the text of the original Articles is set out in Part 1 of the Schedule to this Act;

“Caribbean Community” or “Caricom” means the Caribbean Community established by the Treaty of Chaguaramas;

“Minister” means the Minister for the time being to whom the subject of Trade is assigned by the Governor-General pursuant to section 41 of the Belize Constitution, Cap. 4;

“the Protocol” means the Protocol implementing the Agreement, signed on the 15th of June, 2001, the original of which is deposited with the Secretary General of the Caribbean Community and of which the text of the original Articles is set out in Part II of the Schedule of this Act.

Approval of the Agreement and the Protocol.

3. Acceptance by the Government of the Agreement and the Protocol is hereby approved.

Agreement to have the force of law.

4. Subject to this Act, the Agreement and the Protocol shall have the force of law in Belize.

5. The Minister may from time to time, by Order published in the *Gazette*, make such provisions as he may consider necessary or expedient for giving effect to any provision of the Agreement or the Protocol.

Power of Ministers to make Orders.

6.—(1) Where any amendment to the Agreement is accepted by the Caribbean Community, the Minister may, by Order published in the *Gazette*, amend the Schedule to this Act by including therein the amendment so accepted, to the extent such an amendment is applicable to Belize by virtue of Article 1.3 as read with Article 5.3 of the Agreement.

Amendment of Schedule and matters consequential thereon.

(2) Any Order made under this section may contain such consequential, incidental, supplemental or ancillary provisions as he may consider to the Minister to be necessary or expedient for the purposes of giving due effect to the amendment, and without prejudice to the generality of the foregoing, may contain provisions amending references in this Act to specific provisions of the Agreement.

(3) An Order made under this section shall be subject to negative resolution by both Houses of the National Assembly.

(4) Where the Schedule is amended pursuant to this section, any reference in this Act to the Agreement shall, unless the context otherwise requires, be construed as a reference to the Agreement so amended.

SCHEDULE

TRADE AND ECONOMIC CORPORATION AGREEMENT
(CARICOM/CUBA) ACT

The Trade and Economic Cooperation Agreement
(Section 1)

TRADE AND ECONOMIC CO-OPERATION AGREEMENT BE-
TWEEN THE CARIBBEAN COMMUNITY (CARICOM) AND THE
GOVERNMENT OF THE REPUBLIC OF CUBA

The Caribbean Community (“CARICOM”) and the Government of the Republic of Cuba (hereinafter referred to collectively as the “Parties”),

INSPIRED by the purposes of the Association of Caribbean States to promote an expanded economic space for regional trade and investment and to gradually and progressively foster economic integration, including the liberalization of trade, investment, transportation and other related areas:

AWARE of the need to accelerate the process of Caribbean integration and of the importance attached by the Parties to the various ongoing sub-regional integration processes aimed at increasing and facilitating international competitiveness of the region and facilitating its development:

RECOGNIZING the importance of improving the living standards of the Caribbean peoples and encouraging the progressive development of the economies of the Parties, taking into account the particular urgency of these aims for the less developed countries:

BEARING IN MIND the different levels of economic development between CARICOM Member States and Cuba:

CONSIDERING the desirability of promoting a free trade area, moving appropriately towards greater participation of the economies of the Parties in the world economy, developing more dynamic and balanced economic and trade relations based on mutual benefits and a gradual reduction in customs tariffs and trade obstacles:

COMMITTED TO the launch in the year 2001 of negotiations for the establishment of a Free Trade Area between the Parties:

TAKING INTO ACCOUNT the benefits of formulating clear and accurate guidelines that allow for an increased involvement of the business entities of the Parties in the economic development of CARICOM Member States and Cuba:

HAVING REGARD to the rights and obligations of CARICOM Member States under the Treaty establishing the Caribbean Community (CARICOM) and the rights and obligations of Cuba under the Treaty of Montevideo of 1980:

BEARING in mind that Article 25 of the Treaty of Montevideo of 1980 to which the Republic of Cuba is a signatory, authorizes the signing of Partial Scope Agreements with other countries and economic integration groupings in Latin America, as a means of promoting the integration of the Latin American and Caribbean region:

CONSIDERING the rights and obligations of Member States of CARICOM and of Cuba as Members of the World Trade Organization (WTO):

COMMITTED to establishing closer trade and investment relations:

AGREE AS FOLLOWS:

Article 1

INTERPRETATION

1. For the purpose of this Agreement ,
 - (i) references to the Agreement shall include references to the Annexes to the Agreement; and
 - (ii) references to the “territories of the Parties” mean, in relation to each Member State of CARICOM and Cuba, respectively, its territory, as well as its air space and maritime areas, including the seabed and subsoil adjacent to the outer limit of the territorial sea, over which that State exercises, in accordance with national law and international law, jurisdiction and sovereign rights for the purpose of exploration and exploitation of the natural resources of such areas.

2. For the purpose of this Agreement, the More Developed Countries of CARICOM (hereinafter referred to as “the MDCs”) are,
 - (i) Barbados;
 - (ii) Guyana;
 - (iii) Jamaica;
 - (iv) Suriname;
 - (v) Trinidad and Tobago.

3. For the purpose of this Agreement, the Less Developed Countries of CARICOM (hereinafter referred to as “the LDCs”) are,
 - (i) Antigua and Barbuda;

- (ii) Belize;
- (iii) Dominica;
- (iv) Grenada;
- (v) Montserrat;
- (vi) St. Kitts and Nevis;
- (vii) Saint Lucia;
- (viii) St. Vincent and the Grenadines.

Article 2

OBJECTIVE

The objective of this Agreement is the strengthening of the commercial and economic relations between the Parties through,

- (i) the promotion and expansion of trade in goods and services originating in the territories of the Parties by means of, *inter alia*, free access to the markets of the Parties, elimination of non-tariff barriers to trade, the establishment of a system of rules of origin, and harmonisation of technical, sanitary and phyto-sanitary measures;
- (ii) the establishment of financial arrangements to facilitate the progressive development of two-way trade between the Parties;
- (iii) the progressive liberalization of trade in services;

- (iv) the encouragement of one Party in the market of the other Party so as to enhance the competitiveness of the Parties in the world market;
- (v) the provision of facilities for the establishment and operation of joint ventures and other forms of economic co-operation activities;
- (vi) the development of mechanisms that promote and protect the investments made by nationals of the Parties;
- (vii) the promotion and development of co-operative activities;
- (viii) the promotion of an ongoing system of consultation and coordination for the exchange of information and views on economic and social matters of mutual interest and, where feasible, for the adoption of common positions at international forums and *vis-a-vis* third countries and groups of countries;
- (ix) the discouragement of anti-competitive business practices between the Parties;
- (x) the continuity and progress of work initiated within the CARICOM-Cuba Joint Commission (the Joint Commission) established by both Parties for the development of mutual relations.

Article 3

JOINT COMMISSION

1. The Parties hereby agree that the Joint Commission shall exercise the following functions under this Agreement,

- (i) supervise the implementation and administration of the Agreement and compliance with its provisions;
 - (ii) resolve any dispute arising from the interpretation and execution of this Agreement;
 - (iii) establish Committees and Export Groups, delegate responsibilities to them and supervise their work;
 - (iv) keep this Agreement under periodic review, evaluate its performance and recommend measures for compliance with its provisions;
 - (v) recommend any amendment or modification to this Agreement;
 - (vi) carry out such other functions in relation to this Agreement as may be mandated by the Parties.
2. All decisions shall be taken by consensus. The decision of the Joint Commission in relation to this Agreement shall have the status of recommendations to the Parties.

Article 4

JOINT COMMISSION MEETINGS

1. In connection with its functions under this Agreement, the Joint Commission shall meet at least once a year on a date determined by the Parties.
2. Such meetings shall be chaired jointly by representatives of the Parties.
3. The meetings shall be held alternately in a CARICOM Member State and Cuba, or at any other location agreed by the Parties.

4. The agenda for each meeting shall be agreed between the Parties at least one month prior to each proposed meeting.
5. In the exercise of its functions under this Agreement, the Joint Commission may establish its own rules and procedures.

Article 5

MARKET ACCESS

1. The Parties agree to implement a programme of trade liberalisation between them, at the same time, taking particular account of, the differences in the levels of development between Cuba and the LDCs of CARICOM.
2. Each Party agrees to grant goods produced in the territory of the other Party access to its market under the following arrangements,
 - (i) the goods set down in Annex I to this Agreement which originate in the Member States of CARICOM and which satisfy the conditions in the Rules of Origin that appear in Annex VI to this Agreement shall receive duty free access on entry into Cuba;
 - (ii) the goods set down in Annex II to this Agreement which originate in Cuba and which satisfy the conditions in the Rules of Origin that appear in Annex VI to this Agreement shall receive duty free access on entry into the MDCs of CARICOM;
 - (iii) the goods set down in Annex III to this Agreement which originate in the Member States of CARICOM, and which satisfy the Rules of Origin that appear in Annex VI to this Agreement shall receive, on entry into Cuba,

Phased Reduction of the MFN rate of duty to zero (0) per cent in four (4) annual equal stages over a period commencing one year after the entry into force of this Agreement;

- (iv) the goods set down in Annex IV to this Agreement which originate in Cuba, and which satisfy the Rules of Origin that appear in Annex VI to this Agreement shall receive, on entry into the MDCs of CARICOM, Phased Reduction of the Most Favoured Nation (MFN) rate of duty to zero (0) per cent in four (4) annual equal stages over a period commencing one year after the entry into force of this Agreement.

3. The LDCs of CARICOM shall not be required to extend the treatment provided for in paragraphs 2(ii) and (iv) to goods which originate in Cuba.

4. The Parties agree that they will not apply any quantitative restrictions with respect to trade under this Agreement, but take into account the rights of the parties under the WTO Agreement and the obligations of CARICOM Member States under the Treaty establishing The Caribbean Community.

5. The Joint Commission may consider any request by the Parties for the modification of the Lists in Annexes I to IV.

Article 6

TREATMENT OF GOODS PRODUCED IN FREE TRADE ZONES/EXPORT PROCESSING ZONES

1. Goods produced in or shipped from Free Trade Zones/Export Processing Zones in the territory of a Party shall, when imported into the territory of the other Party, be subject to the MFN rate of duty.

2. Where either CARICOM or Cuba decides to alter the treatment accorded to goods produced in or shipped from Free Trade Zones/Export Processing Zones, the Joint Commission will be advised of the action at the earliest opportunity and will consider the measures necessary to maintain the parity provided for in paragraph 1 of this Article.

Article 7

RULES OF ORIGIN

The Rules of Origin to be applied under this Agreement shall be those set out in Annex VI.

Article 8

TECHNICAL STANDARDS

The Joint Commission shall review the governing technical regulations of the Parties and consider measures that, in its opinion, are required to ensure that such regulations do not constitute barriers to trade between the Parties. The Joint Commission shall establish rules and procedures to resolve any issues that may arise in the application of technical regulations.

Article 9

GENERAL EXEMPTIONS

Nothing in this Agreement shall prevent the adoption or enforcement by Cuba or any Member State of CARICOM of measures which are required,

- (i) to protect public decency;
- (ii) to protect human, plant and animal health, and to preserve the environment;

- (iii) to protect public order;
- (iv) to control the production, distribution and use of narcotics and psychotropic substances;
- (v) to secure compliance with the laws and regulations pertaining to customs or marketing;
- (vi) to secure compliance with the laws and regulations that govern foreign investments;
- (vii) to protect intellectual property rights or prevent dishonest practices;
- (viii) in connection with the production of and trade in gold and silver;
- (ix) in connection with goods produced by prison labour;
- (x) to protect national treasures of artistic, historical or archeological value;
- (xi) to prevent or alleviate any critical food shortage; or
- (xii) in connection with the preservation of non-renewable natural resources.

Article 10

ECONOMIC COOPERATION

1. Each Party agrees to promote mutual economic and social co-operation in support of the economic integration of the Parties and the economic and social development of each Party.

2. Without prejudice to the generality of paragraph 1, the Parties agree to develop co-operation in the following areas,

- (i) Development of Human Resources;
- (ii) Science and Technology;
- (iii) Meteorology and Natural Disaster Preparedness;
- (iv) Culture.

Article 11

DOUBLE TAXATION AGREEMENTS

The Parties agree to work towards the adoption of double taxation agreements between CARICOM Member States and Cuba.

Article 12

TRADE PROMOTION

1. The Parties agree to establish trade promotion programmes, facilitate official and business missions, organize trade fairs and exhibits, exchange information, conduct market research projects, and carry out any other activities related to the implementation of the liberalization programmes and, in particular, the opportunities arising from the trade measures agreed upon herein.

2. Each Party agrees to promote the involvement of its business sector in the pursuance of the objective of this Agreement. For this purpose, the Parties shall explore the possible establishment of a CARICOM-Cuba Business Council that reviews business opportunities, furnishes information and promotes trade.

Article 13

BUSINESS FACILITATION

1. The Parties agree to take all necessary steps, in accordance with their respective laws, to facilitate investment and the expansion of trade in goods and services between them. To this end, the Joint Commission will, as one of its first tasks under this Agreement, adopt a special programme of measures for the facilitation of business, including measures designed to achieve and maintain transparency and to encourage information exchange and also to harmonize customs procedures and technical standards.
2. The Parties agree, if and when necessary, to use their best endeavours to ensure that enterprises in their respective territories meet their obligations in respect of goods and services traded under this Agreement.

Article 14

TRADE FINANCING

1. The Parties recognize the essential role of trade financing in the development of trade. Accordingly, they agree to take all necessary steps to encourage banks and other financial institutions engaged in foreign trade in their respective territories to increase their support to exporters/importers in the territories of the Parties for the purpose of expanding trade between the Parties.
2. The support contemplated under paragraph 1 includes,
 - (i) the establishment of lines of credit;
 - (ii) the confirmation of letters of credit;
 - (iii) the provision of guarantees;
 - (iv) the discounting of bills of exchange, commercial paper and similar instruments;

- (v) the provision of pre-shipment and post-shipment finance;
- (vi) export credit insurance.

3. In order to promote the greater involvement of institutions in the territories of the Parties in the financing of trade between the Parties, the Joint Commission will establish an Experts Group of financial specialists to promote training and information exchange, to review the scope for improving the availability, conditions and competitiveness of credit terms offered and to promote the development of collaboration, including the establishment of joint ventures for the financing of trade between the Parties.

Article 15

TRADE IN SERVICES

1. The Parties recognize the importance of trade in services for the development of their respective economies, and agree,

- (i) To commence without delay, the exchange of information on their services sector, exchange of views on possible elements for a service regime;
- (ii) Upon completion of the implementation of the CARICOM Services regime through the full application of the provisions of Protocol II amending the Treaty of Chaguaramas, or of the chapter of the Treaty containing these provisions, to commence as soon as possible negotiations for the establishment of a regime for trade in services between the Parties. In the establishment of the services regime, the Parties shall take into consideration their respective commitments in the General Agreement

on Trade in Services (GATS) and the ongoing negotiations for services in the GATS,

(iii) To consider, in principle, *inter alia*, the following sectors or sub-sectors,

- (a) Tourism and Travel-related services;
- (b) Entertainment Services;
- (c) Financial Services;
- (d) Professional Services;
- (e) Construction and related engineering services;
- (f) Computer and related services;
- (g) Telecommunication services;
- (h) Transport services.

2. The Parties also agree to identify any elements essential to the development of trade in services which may be implemented prior to the conclusion on the Services Regime.

3. Pending conclusion of the negotiations referred to in paragraph 1 (ii) of this Article, and in accordance with the principles and rules of the General Agreement on Trade in Services (GATS), each Party shall accord immediately and unconditionally to services and service suppliers of the other Party, treatment no less favourable than that it accords to like services and service suppliers of any other country.

Article 16

TOURISM

1. In furtherance of Article 15 *(iii) (a)*, the Parties agree,
 - (i)* To take co-ordinated action to meet the commitments of the Parties under the Declaration for the Establishment of the Sustainable Tourism Zone in the Caribbean;
 - (ii)* To prepare and promote, jointly, tourism products and programmes designed to encourage multi-destination travel, to increase the number of visitors to the territories of the Parties and to diversify and develop the tourism product;
 - (iii)* To provide to each other, technical assistance in the area of human resource development, foreign language training, hospitality training, tourism planning and development and hotel management training;
 - (iv)* To examine the feasibility of establishing a Regional Centre for the training and development of management and supervisory personnel for the tourism sector;
 - (v)* To co-operate in the area of passenger transport and to keep under review the adequacy of airline and cruise ship services in the Caribbean;
 - (vi)* To consider joint venture arrangements in the area of cruise shipping;
 - (vii)* To undertake cultural exchanges and the exchange of entertainers on a commercial basis;

- (viii) To encourage the participation of the business sector in their respective territories in special programmes and forums dealing with the supply of goods and services for the tourism, travel-related and entertainment sectors.
2. The Joint Commission shall establish Experts Groups on tourism, travel-related services and entertainment, comprised of specialists from both Parties to assist the Commission in the implementation of this Article.
3. The Experts Group shall meet at least once in every year and shall hold its first meeting within six (6) months of the signing of this Agreement.

Article 17

INVESTMENT

The Parties agree to promote, protect and facilitate investments between them through the development and adoption of an agreement on reciprocal promotion and protection of investments. Such agreement will be annexed to this Agreement and form an integral part of it.

Article 18

INTELLECTUAL PROPERTY RIGHTS

1. The Parties agree to develop and adopt an agreement on Intellectual Property Rights, taking into account the rights and obligations provided for in the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), contained in Annex 1C of the Agreement establishing the WTO, and other relevant international agreements to which all the Member States of CARICOM and Cuba are signatories. Such agreement will be annexed to this Agreement and form an integral part of it.
2. Pending the adoption of the Agreement referred to in paragraph 1, the provisions of the TRIPS and the other relevant international agreements to which all the CARICOM Member States and Cuba are signatories will apply to intellectual property rights issues which may arise between them.

Article 19

TRANSPORTATION

1. The Parties recognize the importance of developing transportation services, so as to facilitate trade between the Member States of CARICOM and Cuba.
2. For this purpose, the Parties agree to work on concrete lines of action consistent with international commitments which may result in the following,
 - (i) Disseminating information on air and maritime transport services that are offered currently via the air and maritime entities of Member States of CARICOM and of Cuba with the aim of increasing traffic between the Parties;
 - (ii) Creating joint ventures or other modalities of economic association within the scope of international transportation;
 - (iii) Organising a network of cargo agents for maritime transportation from the territories of the Parties;
 - (iv) Applying flexible and attractive tariffs for the Domestic Port Services by Member States of CARICOM and of Cuba to make transportation in the region more competitive;
 - (v) Establishing specific agreements to facilitate maritime and air transport between Member States of CARICOM and Cuba: in the air transportation field, this will be in accordance with the requirements of the International Civil Aviation Organisation (ICAO);
 - (vi) Exploring and identifying the possibilities of developing import-export transshipment hubs in

order to support trade between the Parties and third party markets;

- (vii) As a matter of priority, strengthening of the capability of the Parties to ensure operational safety and airworthiness in accordance with the requirements of ICAO;
- (viii) Establishing co-operatives ventures among air and maritime transport authorities on matters relating to the safe, efficient and reliable provision of international transportation services within the territories of the Parties.

3. With the view of developing and implementing the concrete lines of action referred to in paragraph 2, the Parties undertake that within a 60 day period after signing this Agreement each Party will appoint the corresponding experts on international transportation, so as to draft the proper working schedules. The experts will coordinate the time and place to carry out these tasks.

4. The lines of actions as well as the resulting working schedules will take into account the measures adopted by the Special Committee for Transportation in the Association of Caribbean States (ACS).

5. The Joint Commission will look into all the provisions contained in this Article, and for this purpose the experts of both Parties will accomplish joint reports that will be submitted to the Joint Commission as required.

Article 20

SAFEGUARDS

1. The Parties acknowledge that, as Members of the WTO, they have recourse to the Agreement on Safeguards in the WTO.

2. A Party may apply a safeguard measure where its imports from the other Party are in such amounts that may seriously affect its national production of similar goods.
3. Safeguard measures shall consist of temporary suspension of the tariff preferences and the re-instatement of the duties for the specific product.
4. Safeguard measures shall be applicable for an initial term that will not be longer than one year. This term may be renewed for another year in the event that the original causes for the safeguard prevail.
5. An importing country applying safeguard measures or wishing to renew such measures, shall call a meeting of the Joint Commission in order to hold consultations on an application or renewal. No consensus is required for the application or renewal of safeguard measures.

Article 21

SPECIAL ARRANGEMENTS FOR TRADE IN SELECTED AGRICULTURAL PRODUCTS

In order to avoid the adverse impact on the demand for local products resulting in serious losses to producers/farmers, and having regard to the seasonal and perishable nature of agricultural products, the Parties agree that with respect to the agricultural products listed in Annex V which are being accorded duty free treatment, they may apply, if necessary, the Most Favoured Nation (MFN) rate of duty during the periods identified in the schedule.

Article 22

UNFAIR TRADE PRACTICES

Where there is evidence of injury, material injury or threat of injury to the domestic industry of a Party due to unfair trade practices such as subsidies and dumping, that Party may apply corrective measures, provided the application of these measures is in conformity with the Agree-

ment on Subsidies and Countervailing Measures and the Agreement on the Implementation of Article VI of the General Agreement on Tariffs and Trade 1994, contained, respectively, in Annex 1A to the Agreement establishing the WTO.

Article 23

ANTI-COMPETITIVE BUSINESS PRACTICES

1. The Parties will discourage anti-competitive business practices and work towards the adoption of common provisions to prevent such practices.
2. The Parties will undertake to establish measures and mechanisms to facilitate and promote competition policy and ensure their application between the Parties.

Article 24

SETTLEMENT OF DISPUTES

1. The Parties agree to adopt the following Rules for the Settlement of Disputes arising under this Agreement.
2. The Rules governing Settlement of Disputes (the Rules) shall apply to all disputes between the Parties relating to interpretation, application, execution or non-compliance with the provisions of the Agreement, with the exception of matters covered in the Annex on Investments.
3. The Parties shall first seek to resolve any dispute referred to in paragraph 2 above through informal consultations and seek to arrive at a mutually satisfactory solution. In the case of perishables, the Parties shall notify the Joint Commission immediately of the dispute and of the action being taken.
4. Where the Parties fail to arrive at a mutual solution within 30 days, or in the case of perishables within 10 days, pursuant to paragraph 3 above, the aggrieved Party may deliver to the other Party a request in writing for the intervention of the Joint Commission. The request to the Joint Commission shall contain sufficient information to enable examination of the request.

5. The Joint Commission shall ordinarily meet within 15 days of receipt of a request and, in the case of perishables, within 5 days of receipt of a request. In either case, the Joint Commission shall render its decision within 60 days of the date of the meeting (or if there is more than one meeting, the first meeting) convened to deal with the matter. However, in special circumstances, the time-frame for meeting or for the rendering of a decision may be adjusted by mutual agreement between the Parties.

6. The Joint Commission may engage expert advisors in seeking solutions to disputes between the Parties.

Article 25

AMENDMENTS

Where the Parties have agreed to an amendment or modification recommended by the Joint Commission under Article 3 (1) (v) of this Agreement, such amendment or modification shall enter into force on such date as may be agreed between them.

Article 26

REVIEW OF THE AGREEMENT

The Joint Commission shall review the performance of and compliance with the objective of this Agreement within four (4) years of the effective date hereof. The Joint Commission shall, based on this review, recommend any measures deemed necessary to improve trade and economic relations between the Parties.

Article 27

ACCESSION TO THE AGREEMENT BY OTHER MEMBER-
STATES

OF THE ASSOCIATION OF CARIBBEAN STATES

1. This Agreement shall be open for accession by other member-states of the Association of the Caribbean States (“ACS”) subject to prior negotiations between the Parties and those member states which have requested to become parties to this Agreement and in accordance with Article 20, paragraph 2 of the Convention establishing the ACS.
2. The negotiations referred to in paragraph 1 shall take into account the fact that, under Article 5 (3) of this Agreement, the Parties hereto accord a differentiated treatment to the LDCs of CARICOM.

Article 28

DEPOSITORY

This Agreement shall be deposited with the Secretary General of the Caribbean Community who shall transmit certified copies to the Parties. The Government of the Republic of Cuba shall deposit this Agreement with the General Secretariat of the Latin American Association for Integration (ALADI), in accordance with the provisions of the Treaty of Montevideo of 1980 and the Resolutions of the Council of Ministers of External Affairs of the countries that are signatories to the said Treaty.

Article 29

TERMINATION

1. Either Party may terminate this Agreement by notice in writing. Such termination shall become effective six months after the other Party has received the above-mentioned notice.

2. The obligations of this Agreement shall cease to apply on the effective date of termination, except for outstanding commitments in respect of trade and related obligations, which shall remain effective for another year, unless the Parties agree to a longer period.

Article 30

ENTRY INTO FORCE

This Agreement and its Annexes shall enter into force on the 1st day of January 2001, or as soon thereafter as the Parties have notified each other through diplomatic channels that all internal legal procedures have been completed.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, being duly authorized, have executed this Agreement.

DONE at CANOUAN, ST. VINCENT AND THE GRENADINES in English and Spanish languages, both texts being equally authentic, on this FIFTH day of JULY 2000.

SIGNED:

BY THE CARIBBEAN COMMUNITY

SIGNED:

BY THE GOVERNMENT OF THE REPUBLIC OF CUBA

ANNEX 1

**LIST OF EXPORTS FROM CARICOM ON WHICH
CUBA WILL GRANT DUTY FREE ACCESS**

Heading Number	Sub-Heading Number	Cuban Tariff Heading	Description of Goods
02.01			Meat of bovine animals, fresh or chilled
02.02			Meat of bovine animals, frozen
02.07			Meat and edible offals, of the poultry heading No. 01.05, fresh, chilled or frozen
03.01			Live fish
	0301.10		Ornamental fish
03.06			Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; crustaceans, in shell, cooked by steaming or boiling in water, whether or not chilled, frozen, dried, salted or in brine; flours, meals and pellets of crustaceans, fit for human consumption
	0306.13		Shrimps and prawns
	Ex0306.19		Conch
04.02			Milk and cream, concentrated or containing added sugar or other sweetening matter
	Ex0402.99		Sweetened condensed milk
04.03			Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or other acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa
	0403.10		Yogurt
04.07			Birds' eggs in shell, fresh, preserved or cooked
	Ex0407.00		Hatching eggs
07.08			Leguminous vegetables, shelled or unshelled, fresh or chilled
	0708.10		Blackeye peas
07.10			Vegetables (uncooked or cooked by steaming or boiling in water), frozen
	0710.90		Mixtures of vegetables
07.12			Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared

	Ex0712.20		Onion powder
07.13			Dried leguminous vegetables, shelled, whether or not skinned or split
	Ex0713.10		Spilt peas - ground
	Ex0713.31		Urdu Dhal ground
	Ex0713.90		Pigeon peas of the genus <i>Cajanus cajanus</i>
08.07			Melons (including watermelons) and papaws (papayas), fresh
	0807.11		Watermelons
	0807.20		Papaws (papayas)
08.10			Other fruit, fresh
	Ex0810.90		Christophine of the genus <i>Sechum edule</i>
09.04			Pepper of the genus <i>Piper</i> ; dried or crushed or ground fruits of the genus <i>Capiscum</i> or of the genus <i>Pimenta</i>
09.06			Cinnamon and cinnamon-tree flowers
09.07			Cloves (whole fruit, cloves and stems)
09.08			Nutmeg, mace and cardamoms
09.09			Seeds of anise, badian, fennel, coriander, cumin or caraway; juniperberries
	0909.30		Seeds of cumin
09.10			Ginger, saffron, turmeric (<i>curcuma</i>), thyme, bay leaves, curry and other spices
	0910.40		Thyme and bay leaves
	0910.50		Curry
	0910.90		Other spices
10.06			Rice
11.01			Wheat or meslin flour
11.02			Cereal flour other than of wheat or meslin
	1120.20		Maize (corn) flour
11.04			Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of the heading No. 10.06; germ or cereals, whole rolled, flaked or ground
	1104.23		Of maize
12.11			Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered

	Ex1211.90		Sarsaparilla; Aloe Vera
15.07			Soya-bean oil and its fractions, whether or not refined, but not chemically modified
	1507.90		Soya-bean oil
15.13			Coconut (copra), palm kernel or babassu oil and fractions thereof whether or not refined, but not chemically modified
	1513.11		Crude oil
	1513.19		Refined coconut oil
15.17			Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils of their fractions of Heading No. 15.16
16.05			Crustaceans, mollusks and other aquatic invertebrates, prepared or preserved
	Ex1605.40		Conch
17.02			Other sugars including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel
	Ex1702.40		Glucose
	1702.90		Browning
17.04			Sugar confectionary (including white chocolate), not containing cocoa
18.01			Cocoa beans, whole or broken, raw or roasted
18.03			Cocoa paste, whether or not defatted
18.04			Cocoa butter, fat and oil
18.05			Cocoa powder, not containing added sugar or other sweetening matter
18.06			Chocolate and other preparations containing cocoa
19.01			Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings Nos. 04.01 to 04.04, not containing cocoa or containing less than 5% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included
	1901.10		Preparations for infant use, put up for retail sale
	1901.20		Mixes and doughs for the preparation of bakers' wares of heading No. 1
	Ex1901.90		Food preparations of malt extract

19.04			Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn) in grain form or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere or included
20.01			Vegetables, fruits, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid
	2001.10		Relish
	2001.90		Picalilli
20.05			Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of Heading No. 20.06
	2005.20		Potato chips
	2005.40		Chick peas in brine, tender garden peas, red kidney beans, processed pigeon peas, green pigeon peas, green peas
	2005.50		Beans (baked beans, stewed red beans, green pigeon peas)
	2005.80		Sweet corn (creamed), whole kernel corn
	2005.90		Other vegetables and mixtures of vegetables
20.06			Vegetables, fruits, nuts, fruit peels and other parts of plants, preserved by sugar (drained, glaze or crystallized)
	Ex2006.00		Maraschino cherries
20.08			Fruits, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere
	2008.92		Mixtures (relish)
	2008.99		Mango chutney, kuchela
20.09			Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter
	Ex2009.30		Juice of any single citrus fruit (other than lime juice and ortanique juice)
	2009.40		Pineapple juice
	2009.50		Tomato juice
	Ex2009.80		Juice of any other single fruit or vegetable (other than passion fruit juice)
	2009.90		Mixtures of juices
21.01			Extracts, essences and concentrates, of coffee, tea or mate and preparations with a basis of these products or with a basis of coffee, tea or mate; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof

	2101.11		Extracts, essences and concentrates, of coffee
	2101.12		Preparations with a basis of extracts, essences or concentrates with a basis of coffee
21.02			Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No. 30.02); prepared baking powders
	2102.10		Active yeasts
	2102.30		Prepared baking powders
21.03			Sauces and preparations therefor; mixed condiments and mixed seasoning; mustard flour and meal prepared mustard
	2103.20		Tomato ketchup and other tomato sauces
	Ex2103.30		Prepared mustard
	2103.90		Other
21.05			Ice cream and other edible ice, whether or not containing cocoa
21.06			Food preparations not elsewhere specified or included
22.01			Waters including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow
	2201.10		Mineral waters and aerated waters
	Ex2201.90		Waters, other than mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured
22.02			Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No. 20.09
22.06			Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included
	Ex2206.00		Shandy
22.07			Undenatured ethyl alcohol of an alcoholic strength by volume of 80% vol or higher, ethyl alcohol and other spirits, denatured, or any strength
22.08			Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol; spirits, liqueurs and other spirituous beverages
	Ex2208.90		Aromatic bitters
22.09			Vinegars and substitutes for vinegar obtained from acetic acid

23.02			Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants
	Ex2302.30		Of wheat
23.04			Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soyabean oil
23.09			Preparations of a kind used in animal feeding
	Ex2309.90		Feed for poultry, cattle, pigs, fish and horses
24.01			Unmanufactured tobacco; tobacco refuse
	2401.20		Tobacco, partly or wholly stemmed/stripped
	2401.30		Tobacco refuse
25.01			Salt (including table salt and denatured salt) and pure sodium chloride, whether or not in aqueous solution or containing added anti-caking or free-flowing agents; sea water
	Ex2501.00		Salt (including table salt and denatured salt)
25.05			Natural sands of all kinds, whether or not coloured, other than sublimed sulphur, precipitated sulphur and colloidal sulphur
	2505.10		Silica sands and quartz sands
25.09			Chalk
25.17			Pebbles, gravel, broken or crushed stone, of a kind commonly used for concrete aggregates, for road metalling whether or not treated; macadam of slag dross or similar industrial waste granules, chippings and powder, of stones of heading No. 25.15 or 25.16 whether or not heat treated
	2517.10		Pebbles, gravel, broken or crushed stone, of a kind commonly used for concrete aggregates, for road metalling or for railway or other ballast, shingle and flint whether or not heat treated
	2517.49		Granules, chipping and powder, of stones of heading No. 25.15 or 25.16 other than marble
25.20			Gypsum; anhydrite; plasters (consisting of calcined gypsum or calcium sulphate) whether or not coloured, with or without small quantities of accelerators or retarders
26.06			Aluminium ores and concentrates
27.11			Petroleum gases and other gaseous hydrocarbons
	2711.11		Liquefied natural gas
	2711.12		Liquefied Propane
	2711.13		Liquefied Butane
27.13			Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals

	2713.20		Petroleum bitumen
27.14			Bitumen and asphalt, natural; bituminous or oil shale and tar sands; asphaltites and asphaltic rocks
	Ex2714.90		Asphalt, natural
27.15			Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)
28.01			Fluorine, chlorine, bromine and iodine
	2801.10		Chlorine
28.04			Hydrogen, rare gases and other non-metals
	2804.10		Hydrogen
	2804.21		Argon
	2804.30		Nitrogen
	2804.40		Oxygen
28.06			Hydrogen chloride (hydrochloric acid); chlorosulphuric acid
28.07			Sulphuric acid, oleum
	Ex2807.00		Sulphuric acid
28.11			Other inorganic acids and other inorganic oxygen compounds of non-metals
	2811.21		Carbon dioxide
	Ex2811.29		Nitrous oxide
28.14			Ammonia, anhydrous or in aqueous solution
	2814.10		Anhydrous ammonia
28.15			Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium
	2815.12		Sodium hydroxide (caustic soda), in aqueous solution (soda lyle or liquid soda)
28.18			Artificial corundum, whether or not chemically defined; aluminum oxide; aluminum hydroxide
	2818.20		Aluminum oxide, other than artificial corundum
28.28			Hypochlorites; commercial calcium hypochlorite; chlorites; hypobromites
	2828.10		Commercial calcium hypochlorite and other calcium hypochlorites
28.30			Sulphides; polysulphides
	2830.10		Sodium sulphides

28.33			Sulphates; alums; peroxosulphates (persulphates)
	2833.22		Aluminium sulphate
28.36			Carbonates; peroxocarbonates (percarbonates); commercial ammonium carbonate containing ammonium carbamate
	2836.30		Sodium hydrogencarbonate (sodium bicarbonate)
	2836.50		Calcium carbonate
28.51			Other inorganic compounds (including distilled or conductivity water and water of similar purity); liquid air (whether or not rare gases have been removed); compressed air; amalgams, other than amalgams of precious metals
	Ex2851.00		Distilled water
29.01			Acyclic hydrocarbons
	Ex2901.29		Acetylene
29.04			Sulphonated, nitrated or nitrosated derivatives of hydrocarbon, whether or not halogenated
	Ex2904.10		Sulphonic acid
29.05			Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives
	2905.11		Methanol (methyl alcohol)
29.09			Ethers, ether-alcohols, ether-phenols, ether-alcohol-phenols, alcohol peroxides, ether-peroxides, ketone peroxides (whether or not chemically defined), and their halogenated, sulphonated, nitrated or nitrosated derivatives
	2909.50		Ether-phenols, ether-alcohol-phenols and their halogenated, sulphonated, nitrated or nitrosated derivatives
	2909.60		Alcohol peroxides, ether peroxides, ketone peroxides and their halogenated, sulphonated, nitrated or nitrosated derivatives
29.15			Saturated acyclic monocarboxylic acids and their anhydrides, halides peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives
30.04			Medicaments (excluding goods of heading No. 30.02, 30.05 or 30.06), consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms or packings for retail sale
31.02			Mineral or chemical fertilizers, nitrogenous
31.05			Mineral or chemical fertilizers containing two or three of the fertilizing elements nitrogen, phosphorous and potassium; other fertilizers; goods of this Chapter in tablets or similar forms or in packages of a gross weight not exceeding 10 kg

	3105.20		Mineral or chemical fertilizers containing the three fertilizing elements nitrogen, phosphorous and potassium
	3105.60		Mineral or chemical fertilizers containing the two fertilising elements phosphorous and potassium
32.06			Other colouring matter, preparations as specified in Note 3 to this Chapter, other than those of heading No. 32.03, 32.04 or 3205.00; inorganic products of a kind used as luminophores, whether or not chemically defined
	3206.30		Pigments and preparations based on cadmium compounds
32.07			Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, engobes (slips), liquid lustres and similar preps, of a kind used in the ceramic, enameling or glass industry; glass frit and other glass, in the form of powder, granules or flakes
	Ex3207.10		Prepared pigments, prepared opacifiers, prepared colours, and similar preparations
32.09			Paints and varnishes (including enamels and lacquers) based on synthetic polymers or chemically modified natural polymers, dispersed or dissolved in a non-aqueous medium
32.10			Other paints and varnishes (including enamels, lacquers and distempers); prepared water pigments of a kind used for finishing leather
32.15			Printing ink, writing or drawing ink and other inks, whether or not concentrated or solid
33.01			Essential oils (terpeneless or not), including concretes and absolutes; resinoids; extracted oleoresins; concentrated or essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils
	3301.12		Essential oil of orange
	3301.14		Essential oil of lime
33.02			Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with bases of one or more of these substances, of a kind used as raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages
	3302.10		Of a kind used in the food or drink industries
33.03			Perfumes and toilet waters
33.04			Beauty or make-up preparations and preparations for the care of the skin (other than medicaments), including sunscreen or sun tan preparations; manicure or pedicure preparations
33.05			Preparations for use on the hair

	3305.10		Shampoos
	3305.20		Preparations for permanent waving or straightening
	3305.30		Hair lacquers
	3305.90		Other preparations
33.06			Preparations for oral or dental hygiene, including denture fixative pastes and powders; yarn used to clean between the teeth (dental floss), in individual retail packages
33.07			Pre-shave, shaving or after-shave preparations, personal deodorants, bath preparations, depilatories and other perfumery, cosmetic or toilet preparations, not elsewhere specified or included; prepared room deodorisers, whether or not perfumed or having disinfectant properties
34.05			Polishes and creams, for footwear, furniture, floors, coachwork, glass or metal, scouring pastes and powders and similar preparations (whether or not in the form of paper wadding, felt non-wovens, cellular plastics or cellular rubber, impregnated, coated or covered with such preparations), excluding waxes of heading No. 34.04
	3405.10		Polishes, creams and similar preparations for footwear or leather
	3405.20		Polishes, creams and similar preparations for the maintenance of wooden furniture, floors or other woodwork
34.06			Candles, tapers and the like
35.03			Gelatin (including gelatin in rectangular (including square) sheets, whether or not surface-worked or coloured) and gelatin derivatives; isinglass; other glues of animal origin, excluding casein glues of heading No. 35.01
	Ex3503.00		Gelatin
35.05			Dextrins and other modified starches (for example, pregelatinised or esterified starches); glues based on starches, or on dextrins or other modified starches
	3505.20		Glues
35.06			Prepared glues and other prepared adhesives, not elsewhere specified or included; products suitable for use as glues or adhesives, put up for retail sale as glues or adhesives, not exceeding a net weight of 1 kg
35.07			Enzymes; prepared enzymes not elsewhere specified or included
	Ex3507.90		Meat tenderizers

36.05		Matches, other than pyrotechnic articles of heading No. 36.04
38.08		Insecticides, rodenticides, fungicides, herbicides, antisprouting products and plant-growth regulators, disinfectants and similar products, put up in forms of packings for retail sale or as preparations or articles (for examples, sulphur-treated bands, wicks and candles, and fly-papers)