

## CARICOM (Services) Summary Fact Sheet

**Table 1: Background Information**

|                               |   |   |
|-------------------------------|---|---|
| Parties                       | Barbados, Guyana, Jamaica, Trinidad and Tobago, Belize, Dominica, Grenada, Montserrat, Saint Lucia, St Vincent and the Grenadines, Antigua and Barbuda, St Kitts and Nevis, The Bahamas, Suriname and Haiti.  |   |
| Type of Agreement             | Economic Integration Agreement.   |   |
| Date of signature             | The Bahamas, Antigua and Barbuda, Barbados, Belize, Guyana, Jamaica, St. Vincent and the Grenadines, Suriname and Trinidad and Tobago signed on 5 July 2001; Grenada signed on 4 July 2002, Saint Lucia on 6 August 2002 and Dominica and Haiti on 4 July 2003. |   |
| Date of entry into force      | 4 July 2002   |   |
| Review envisaged              | none  |   |
| Website or contact addresses  | The full text of the Revised Treaty is available on the OAS web-site:<br><a href="http://caricom.org/jsp/community/revised_treaty.jsp?menu=community">http://caricom.org/jsp/community/revised_treaty.jsp?menu=community</a>                                    |   |
| List of related WTO documents | S/C/N/229<br>WT/REG155/1<br>WT/REG155/2<br>S/C/M/65<br>WT/REG155/3<br>WT/REG155/M/1-2-Corr.1-3<br>WT/REG155/4-5   | Notification<br>Agreement<br>Standard format<br>Terms of Reference<br>Statistical information<br>Minutes<br>Questions and Replies |

**Table 2: Scope and general aspects**

|                        |                 |  |
|------------------------|-----------------|--|
| Scope                  | Sectors         | All sectors are covered.   |
|                        | Modes of supply | All the four modes of supply are covered (Art. 36.4).  |
|                        | Definitions     | A "person" is regarded as a national of a Member State based on citizenship or permanent residence. An economic enterprise includes any type of organisation for the production of or trade in goods or the provision of services (other than a non-profit organisation) owned or controlled by any person or company or other legal entity constituted in the Member State in conformity with the laws thereof and which that State regards as belonging to it, provided that such company or other legal entity has been formed for gainful purposes and has its registered office and central administration, and carries on substantial activity, within the Community and which is substantially owned and effectively controlled by a citizen or resident. |
| Positive/negative list |                 | Negative list approach.  |
| Sector-specific rules  |                 | Transport policy (Chapter VI).   |
| Sectoral exclusions    |                 | Provisions of the services Chapter do not apply to services in the exercise of governmental authority and certain financial services.  |

**Table 3: Provisions of the Agreement**

| Provision  | Article        | Additional information  |
|--|----------------|---|
| MFN/National treatment                                 | Art. 7 and 8   | Any discrimination on grounds of nationality is prohibited. The Parties agree that measures that are inconsistent with their national treatment obligations would be deemed to be restrictions. Each Member State accords, with respect to any rights covered by the Agreement, to another Member State treatment no less favourable than that accorded to a third Member State or third States.  |
| Movement of natural persons and right of establishment | Art. 45 and 46 | Member States commit themselves to the goal of free movement of their nationals within the Community. The following categories of Community nationals may seek employment in their jurisdictions: university graduates, media workers, sportspersons, artistes and musicians, recognised as such by the competent authorities of the receiving Member States. Member States commit to remove restrictions on the right of establishment of nationals of a Member State in the territory of another Member State including restrictions on the setting up of agencies, branches or subsidiaries. |
| Elimination of   | Art. 32, 33,   | Member States must abolish discriminatory restrictions on the   |

|                                    |                      |  |
|------------------------------------|----------------------|--|
| discriminatory measures            | 36, 37, and 39       | provision of services and on the right of establishment within the Community in respect of Community nationals. Additionally, articles 32, 36, and 39 prohibit Member States from introducing new restrictions in their territories on the right of establishment, the provision of services and the movement of capital and current transactions.   |
| Treatment of third party suppliers | None                 |  |
| Denial of benefits                 | None                 |  |
| Standards/mutual recognition       | Art. 35, and 67      | The Agreement provides for common standards and measures for accreditation or when necessary for the mutual recognition of diplomas, certificates and other evidence of the qualifications of nationals of Member States to facilitate access to, and engagement in, employment and non-wage-earning activities in the Community. The Regional Accreditation Authority is responsible for the establishment of common standards to determine equivalency or accord accreditation. The Agreement also aims to develop a standardization programme to further the Chapter's objectives consistent with the international obligations of Member States.   |
| Safeguard mechanisms (intra-trade) | Art. 43, 47 and 48   | The Agreement allows the use of restrictions to safeguard the balance-of-payments. Where the exercise of rights granted under this Chapter creates serious difficulties in any sector of the economy of a Member State or occasions economic hardships in a region of the Community, a Member State adversely affected may apply restrictions on the exercise of the rights as it considers appropriate to resolve the difficulties or alleviate the hardships. The Member State, at the time of application of the restrictions, must submit to the competent Committee a programme setting out the measures to be taken so that the Committee can give its earliest consideration to the programme. A Member State may also apply to the Community Council for a waiver of the obligations under the Agreement in respect of any industry, sector or enterprise.   |
| Domestic regulations               | Art. 44 (b)          | The Agreement provides for measures to facilitate its implementation, including the harmonization of legal and administrative requirements for the operation of partnerships, companies or other entities.   |
| Subsidies and state aid            | Chapter V (Part III) | A subsidy is deemed to exist if there is a financial contribution by a government or any public body in the territory of a Member State, where: (a) a government practice involves direct or potential transfer of funds or liabilities; (b) government revenue that is otherwise due is forgone or not collected; (c) a government purchases goods or provides goods or services other than general infrastructure; (d) a government makes payments to a funding mechanism, or directs or entrusts to a private body the conduct of the activities above which are normally conducted by governments; or (d) any form of income or price support which confers a benefit (Art. 96). There are three types of subsidies: prohibited; that which causes injury, nullification, impairment or serious prejudice; and that which causes serious adverse effects to a domestic industry of any Member State (Art. 97). Any Member State may request consultations with the Member State believed to be granting or maintaining the subsidy. If no mutually agreed solution is reached, the Member State requesting consultations or any other Member State interested in such consultations may refer the matter to the relevant Committee which will conduct an investigation to establish whether the subsidy is prohibited (Art. 101 and 102). A Member State aggrieved by the application or maintenance of such subsidies, may take provisional measures or countervailing duties, following Art. 116 procedures. |
| IPR                                | Art. 66              | Member States agree to promote protection of intellectual property rights and to simplify Community registration procedures.   |
| Government Procurement             | Art. 239(b)          | Member States undertake to elaborate a Protocol relating, <i>inter alia</i> ,  |

|                                       |                                     |  |
|---------------------------------------|-------------------------------------|--|
|                                       |                                     | to government procurement.   |
| Competition                           | Chapter VIII (Part I)               | Anti-competitive business conduct which prevents, restricts or distorts competition or which constitutes the abuse of a dominant position in the market is prohibited (Art. 169.b). For the purposes of implementation of the Community Competition Policy a Competition Commission has been established (Art. 171).   |
| Investment                            | Art. 68                             | Establishes a Community Investment Policy including sound national macro-economic policies, a harmonised system of investment incentives, stable industrial relations, appropriate financial institutions and arrangements, supportive legal and social infrastructure and modernisation of the role of public authorities. To this end Member States must harmonise national incentives to investment in industry, agriculture and services.  |
| General reservations                  | Chapter 10                          | The Chapter provides for security exceptions (Art. 225) and general exceptions (Art. 226). Article 237 allows for reservations to be entered into the Treaty with the consent of the signatory States.   |
| Level of Government                   | None                                |  |
| Accessions                            | Art. 238                            | A State or territory of the Caribbean may, if the Conference of Heads of Government of the Caribbean Community so determines, accede to the Agreement.   |
| Dispute resolution                    | Chapter IX                          | Provisions for the settlement of disputes include good offices, mediation, consultations, conciliation, arbitration and adjudication (Art. 188). It applies to the settlement of disputes concerning the interpretation and application of the Agreement (Art. 187). Under Art. 211, the Caribbean Court of Justice (CCJ) has compulsory and exclusive jurisdiction to hear and determine disputes concerning the interpretation and application of the Agreement.   |
| Relations with other trade agreements | Art. 81                             | The Member States must deposit with the Secretariat agreements relating to trade or aid concluded with third countries.  |
| Institutional provisions              | Chapter II                          | The Conference of Heads of Government is the supreme organ and determines and provides policy direction for the Community. The Community Council of Ministers is the second highest organ and is responsible for the development of Community strategic planning and coordination. The Councils for Trade and Economic Development and for Finance and Planning have primary responsibility for, respectively, trade promotion and economic development, and economic policy co-ordination and financial and monetary integration of Member States. Other Organs include the Councils for Human and Social Development and for Foreign and Community Relations. Their functions are underpinned by the Legal Affairs Committee, which provides the Community's Organs and Bodies, either on request or on its own initiative, advice on treaties, international legal issues, the harmonisation of Community laws and other legal matters. Finally, the Agreement provides for the establishment of a Community Competition Commission and a Regional Accreditation Authority. |
| Other                                 | Art. 53, Art. 54; Art. 55; Art. 58; | The Agreement aims to promote, through its Committees, the development of services to stimulate economic complementarities among, and accelerate economic development in, the Member States. In particular, it seeks to: increase investment in services; increase volume, value and range of intra and extra-Community trade in services; and enhance competitiveness in the modes of delivering services as well as enterprise and infrastructure development, including that of micro and small service enterprises. The Agreement also provide disciplines on sustainable tourism development, micro and small vulnerable economic enterprise development and natural resource management.   |

**Table 4.a: Value of CARICOM's receipt of services: 2000 and 2005**  
(US\$ million)

|                                | 2000           |              |                |                |              | 2005           |              |                |                |              |
|--------------------------------|----------------|--------------|----------------|----------------|--------------|----------------|--------------|----------------|----------------|--------------|
|                                | Total          | Transport    | Travel         | Commercial     | Govt         | Total          | Transport    | Travel         | Commercial     | Govt         |
| <b>Caribbean Community</b>     | <b>7,283.6</b> | <b>785.6</b> | <b>5,072.9</b> | <b>1,267.8</b> | <b>157.3</b> | <b>9,037.7</b> | <b>928.3</b> | <b>6,255.0</b> | <b>1,694.0</b> | <b>160.1</b> |
| The Bahamas                    | 1,973.2        | 54.5         | 1,737.9        | 153.4          | 27.4         | 2,485.9        | 55.7         | 2,069.1        | 333.8          | 27.3         |
| <b>CSME</b>                    | <b>5,310.5</b> | <b>731.1</b> | <b>3,335.0</b> | <b>1,114.4</b> | <b>129.9</b> | <b>6,551.4</b> | <b>872.6</b> | <b>4,185.9</b> | <b>1,360.2</b> | <b>132.8</b> |
| <b>MDCs</b>                    | <b>3,929.9</b> | <b>605.2</b> | <b>2,359.3</b> | <b>876.6</b>   | <b>88.8</b>  | <b>4,830.8</b> | <b>699.2</b> | <b>2,929.9</b> | <b>1,106.8</b> | <b>95.0</b>  |
| Barbados                       | 1,090.2        | 24.8         | 723.0          | 307.6          | 34.9         | 1,457.2        | 25.3         | 896.7          | 488.4          | 46.8         |
| Guyana                         | 169.3          | 7.2          | 75.1           | 87.0           | 0.0          | 147.1          | 7.6          | 351.1          | 104.4          | 0.0          |
| Jamaica                        | 2,025.7        | 328.6        | 1,332.6        | 326.9          | 37.6         | 2,329.5        | 451.1        | 1,545.1        | 299.3          | 34.1         |
| Suriname                       | 91.0           | 37.2         | 15.8           | 32.3           | 5.7          | ..             | ..           | ..             | ..             | ..           |
| Trinidad and Tobago            | 553.7          | 207.5        | 212.8          | 122.8          | 10.6         | 896.9          | 215.2        | 453.0          | 214.7          | 14.0         |
| <b>LDCs</b>                    | <b>1,380.6</b> | <b>125.9</b> | <b>975.8</b>   | <b>237.8</b>   | <b>41.1</b>  | <b>1,720.6</b> | <b>173.4</b> | <b>1,256.0</b> | <b>253.4</b>   | <b>37.8</b>  |
| Belize                         | 158.2          | 10.8         | 116.2          | 13.4           | 17.8         | 301.3          | 29.7         | 213.7          | 40.2           | 17.8         |
| <b>OECS</b>                    | <b>1,222.3</b> | <b>115.1</b> | <b>859.5</b>   | <b>224.4</b>   | <b>23.4</b>  | <b>1,419.3</b> | <b>143.7</b> | <b>1,042.3</b> | <b>213.2</b>   | <b>20.1</b>  |
| Antigua and Barbuda            | 415.4          | 65.7         | 290.5          | 51.2           | 8.0          | 488.0          | 84.6         | 335.0          | 60.0           | 8.4          |
| Dominica                       | 89.7           | 7.1          | 48.2           | 32.1           | 2.4          | 83.4           | 4.0          | 55.6           | 22.8           | 1.0          |
| Grenada                        | 152.8          | 5.8          | 92.5           | 48.0           | 6.5          | 116.6          | 11.2         | 71.4           | 31.9           | 2.0          |
| Montserrat                     | 16.2           | 1.2          | 9.0            | 5.9            | 0.2          | 14.8           | 1.4          | 9.0            | 4.2            | 0.3          |
| St. Kitts and Nevis            | 98.5           | 10.5         | 58.4           | 26.1           | 3.5          | 147.7          | 10.3         | 110.2          | 22.6           | 4.6          |
| Saint Lucia                    | 322.1          | 13.3         | 278.9          | 28.8           | 1.4          | 410.1          | 21.6         | 356.0          | 30.8           | 1.7          |
| St. Vincent and the Grenadines | 127.6          | 11.5         | 82.3           | 32.4           | 1.5          | 158.8          | 10.5         | 105.1          | 41.1           | 2.0          |

Source: [http://www.caricomstats.org/Files/Publications/Trade%20in%20Services\\_2005.pdf](http://www.caricomstats.org/Files/Publications/Trade%20in%20Services_2005.pdf)

**Table 4.b: Value of CARICOM's payment of services, by broad services area: 2000 and 2005**  
(US\$ million)

|                                | 2000           |                |              |                |              | 2005           |                |                |                |              |
|--------------------------------|----------------|----------------|--------------|----------------|--------------|----------------|----------------|----------------|----------------|--------------|
|                                | Total          | Transport      | Travel       | Commercial     | Govt         | Total          | Transport      | Travel         | Commercial     | Govt         |
| <b>Caribbean Community</b>     | <b>4,430.4</b> | <b>1,555.0</b> | <b>943.6</b> | <b>1,698.7</b> | <b>233.2</b> | <b>5,406.2</b> | <b>1,918.0</b> | <b>1,076.9</b> | <b>2123.8</b>  | <b>287.4</b> |
| The Bahamas                    | 1,025.5        | 249.1          | 260.8        | 458.9          | 56.8         | 1,373.6        | 368.6          | 344.3          | 583.0          | 77.7         |
| <b>CSME</b>                    | <b>3,404.9</b> | <b>1,305.9</b> | <b>682.8</b> | <b>1,239.8</b> | <b>176.4</b> | <b>4,032.6</b> | <b>1,549.4</b> | <b>732.6</b>   | <b>1,540.8</b> | <b>209.7</b> |
| <b>MDCs</b>                    | <b>2,696.8</b> | <b>1,044.4</b> | <b>541.7</b> | <b>988.2</b>   | <b>122.6</b> | <b>3,146.3</b> | <b>1,206.5</b> | <b>564.8</b>   | <b>1,214.8</b> | <b>160.2</b> |
| Barbados                       | 487.4          | 163.5          | 94.1         | 202.5          | 27.4         | 679.6          | 218.3          | 95.7           | 321.7          | 44.0         |
| Guyana                         | 193.2          | 43.3           | 68.9         | 81.0           | 0.0          | 196.6          | 71.9           | 39.6           | 85.1           | 0.0          |
| Jamaica                        | 1,422.5        | 585.2          | 208.7        | 596.6          | 32.0         | 1,729.4        | 724.9          | 249.5          | 708.6          | 46.4         |
| Suriname                       | 206.0          | 79.2           | 22.9         | 65.2           | 38.7         | --             | ..             | ..             | ..             | ..           |
| Trinidad and Tobago            | 387.7          | 173.2          | 147.1        | 42.9           | 24.5         | 540.7          | 191.4          | 180.0          | 99.4           | 69.9         |
| <b>LDCs</b>                    | <b>708.2</b>   | <b>261.5</b>   | <b>141.2</b> | <b>251.7</b>   | <b>53.9</b>  | <b>886.3</b>   | <b>342.9</b>   | <b>167.9</b>   | <b>326.0</b>   | <b>49.5</b>  |
| Belize                         | 124.5          | 36.9           | 40.5         | 38.3           | 8.8          | 159.7          | 50.0           | 41.7           | 60.5           | 7.6          |
| <b>OECS</b>                    | <b>583.7</b>   | <b>224.6</b>   | <b>100.7</b> | <b>213.4</b>   | <b>45.1</b>  | <b>726.6</b>   | <b>293.0</b>   | <b>126.2</b>   | <b>265.5</b>   | <b>41.9</b>  |
| Antigua and Barbuda            | 155.6          | 56.5           | 30.7         | 58.9           | 9.5          | 208.1          | 70.7           | 40.1           | 88.5           | 8.9          |
| Dominica                       | 52.7           | 21.8           | 8.9          | 16.9           | 5.1          | 52.1           | 26.8           | 9.7            | 13.4           | 2.1          |
| Grenada                        | 89.2           | 34.3           | 7.7          | 43.3           | 4.0          | 92.8           | 45.3           | 10.0           | 29.6           | 7.9          |
| Montserrat                     | 22.4           | 3.7            | 1.8          | 5.2            | 11.7         | 25.6           | 4.8            | 2.6            | 8.9            | 9.3          |
| St. Kitts and Nevis            | 76.0           | 31.6           | 8.8          | 31.8           | 3.7          | 92.0           | 38.2           | 10.0           | 39.2           | 4.6          |
| Saint Lucia                    | 133.5          | 53.2           | 33.3         | 39.7           | 7.3          | 171.1          | 72.9           | 38.9           | 56.6           | 2.7          |
| St. Vincent and the Grenadines | 54.3           | 23.6           | 9.5          | 17.6           | 3.7          | 85.0           | 34.4           | 14.9           | 29.3           | 6.4          |

Source: [http://www.caricomstats.org/Files/Publications/Trade%20in%20Services\\_2005.pdf](http://www.caricomstats.org/Files/Publications/Trade%20in%20Services_2005.pdf)