

Appendix A

CARIFORUM Economic Partnership Agreement – key provisions

<i>Provision</i>	<i>Text</i>
Part I, Article 1 – Objectives	<p>‘The objectives of this Agreement are:</p> <p>...</p> <p>b) Promoting regional integration, economic cooperation and good governance thus establishing and implementing <u>an effective, predictable and transparent regulatory framework for trade and investment</u> between the Parties and in the CARIFORUM region;</p> <p>...</p> <p>e) <u>Supporting the conditions for increasing investment</u> and private sector initiative and enhancing supply capacity, competitiveness and economic growth in the CARIFORUM region;’</p>
Part II, Title II, Article 1 – Objective, scope and coverage	<p>‘1. The EC Party and the Signatory CARIFORUM States, reaffirming their commitments under the WTO Agreement and with a view to facilitate the regional integration and sustainable development of the Signatory CARIFORUM States and their smooth and gradual integration in the world economy, hereby lay down the <u>necessary arrangements for the progressive, reciprocal and asymmetric liberalisation of investment</u> and trade in services and for cooperation on e-commerce.</p> <p>‘4. <u>Consistent with the provisions of this Title</u>, the EC Party and the Signatory CARIFORUM States retain the right to regulate and to introduce new regulations to meet legitimate policy objectives.’</p>
Part II, Title II, Article 2 – Definitions	<p>‘...</p> <p>(c) ‘<u>natural person</u> of the EC Party or the Signatory CARIFORUM States’ means a national of one of the Member States of the European Community or of the Signatory CARIFORUM States according to their respective legislation;</p> <p>(d) ‘<u>juridical person</u>’ means any legal entity duly constituted or otherwise organized under applicable law, whether for profit or otherwise, and whether privately-owned or governmentally-owned, including any corporation, trust, partnership, joint venture, sole proprietorship or association;</p> <p>(e) an ‘EC Party juridical person’ or a ‘CARIFORUM juridical person’ means a juridical person set up in accordance with the laws of a Member State of the European Community or of a Signatory CARIFORUM State respectively, and <u>having its registered office, its central administration, or its principal place of business in the territory</u> to which the Treaty establishing the European Community applies or in the territory of a Signatory CARIFORUM State, respectively; <u>Should the juridical person have only its registered office or central administration in the territory</u> to which the Treaty establishing the European Community applies or in the territory of the Signatory CARIFORUM States respectively, it shall not be considered as an EC Party or a CARIFORUM juridical person respectively, unless it engages in <u>substantive business operations</u>¹ in the territory of the European Community or of a Signatory CARIFORUM</p>

¹ Note to text: ‘In line with its notification of the EC Treaty to the WTO (doc. WT/REG39/1), the EC Party understands that the concept of “effective and continuous link” with the economy of a Member State enshrined in Article 48 of the EC Treaty is equivalent to the concept of “substantive business operations” provided in Article V, paragraph 6, of the GATS, and in this agreement.’

	State, respectively;’
Part II, Title II, Article 4 – Definitions	<p>‘(a) <u>‘Commercial presence’</u> means any type of business or professional establishment through:</p> <p>(i) the <u>constitution, acquisition or maintenance of a juridical person</u>², or</p> <p>(ii) the <u>creation or maintenance of a branch or representative office</u> within the territory of the EC Party or the Signatory CARIFORUM States for the purpose of performing an economic activity;</p> <p>(b) <u>‘investor’</u> of the EC Party or the Signatory CARIFORUM States means any natural or juridical person <u>that performs an economic activity through setting up a commercial presence;</u>’</p>
Part II, Title II, Article 5 – Coverage	<p>‘This Chapter <u>applies to measures</u> by the Parties or by the Signatory CARIFORUM States <u>affecting commercial presence</u>³ <u>in all economic activities</u> with the exception of: ...’</p>
Part II, Title II, Article 6 – Market access	<p>‘1. With respect to <u>market access</u> through commercial presence, the EC Party and the Signatory CARIFORUM States shall accord to commercial presences and investors of each other a <u>treatment no less favourable than that provided for in the specific commitments contained in Annex [...]</u> (commitments on investment and trade in services).</p> <p>2. In sectors where market access commitments are undertaken, the measures which the EC Party and the Signatory CARIFORUM States <u>shall not maintain or adopt</u> either on the basis of a regional subdivision or on the basis of its entire territory, unless otherwise specified in Annex [...] (commitments on investment and trade in services) are defined as:</p> <p>(a) limitations on the <u>number of commercial presences</u> whether in the form of numerical quotas, monopolies, exclusive rights or other commercial presence requirements such as economic needs tests;</p> <p>(b) limitations on the <u>total value of transactions or assets</u> in the form of numerical quotas or the requirement of an economic needs test;</p> <p>(c) limitations on the <u>total number of operations or on the total quantity of output</u> expressed in terms of designated numerical units in the form of quotas or the requirement of an economic needs test⁴.</p> <p>(d) limitations on the <u>participation of foreign capital</u> in terms of maximum percentage limit on foreign shareholding or the total value of individual or aggregate foreign investment; and</p> <p>(e) <u>measures which restrict or require specific types of establishment</u> (subsidiary, branch, representative office)⁵ <u>or joint ventures</u> through which an investor of the</p>

² Note to text: ‘The terms “constitution” and “acquisition” of a juridical person shall be understood as including capital participation in a juridical person with a view to establishing or maintaining lasting economic links. When the juridical person has the status of a company limited by shares, there is a lasting economic link where the block of shares held enables the shareholder, either pursuant to the provisions of national laws relating to companies limited by shares or otherwise, to participate effectively in the management of the company or in its control. Long-term loans of a participating nature are loans for a period of more than five years which are made for the purpose of establishing or maintaining lasting economic links; the main examples being loans granted by a company to its subsidiaries or to companies in which it has a share and loans linked with a profit-sharing arrangement.’

³ Note to text: ‘Measures relating to expropriation and investor-to-State dispute settlement such as those covered in bilateral investment treaties are not deemed to affect establishment.’

⁴ Note to text: ‘Subparagraphs 2(a), 2(b) and 2(c) do not cover measures taken in order to limit the production of an agricultural product.’

	other Party may perform an economic activity.’
Part II, Title II, Article 7 – National treatment	<p>‘1. In the sectors where market access commitments are inscribed in Annex [...] (commitments on investment and trade in services) and subject to any conditions and qualifications set out therein, with respect to all measures affecting commercial presence, the EC Party and the Signatory CARIFORUM States <u>shall grant</u> to commercial presences and investors of each other <u>treatment no less favourable than that they accord to their own like commercial presences and investors.</u></p> <p>...</p> <p>3. Formally identical or formally different treatment shall be considered to be less favourable <u>if it modifies the conditions of competition</u> in favour of commercial presences and investors of the EC Party or of the Signatory CARIFORUM States compared to like commercial presences and investors of the other Party.</p> <p>4. Specific commitments assumed under this Article shall not be construed to require the EC Party or the Signatory CARIFORUM States to compensate for <u>inherent competitive disadvantages which result from the foreign character of the relevant commercial presences and investors.</u>’</p>
Part II, Title II, Article 9 – most-favoured-nation treatment	<p>‘1. With respect to any measures affecting commercial presence covered by this Chapter:</p> <p>...</p> <p>(b) the Signatory CARIFORUM States shall accord to EC Party's commercial presences and investors a <u>treatment no less favourable than the most favourable they may accord</u> to like commercial presences and investors <u>of any major trading economy with whom they conclude an economic integration agreement after the signature of this Agreement.</u> ...’</p>
Part II, Title II, Article 10 – Other agreements	<p>‘Nothing in this Title shall be taken to limit the rights of investors of the Parties to benefit from any more favourable treatment provided for in any existing or future international agreement relating to investment to which a Member State of the European Community and a Signatory CARIFORUM State are Parties.’</p>
Part III, Article 2 – Scope	<p>‘Article 2:</p> <p>1. This Part shall apply to any dispute concerning the interpretation and application of this Agreement.</p>
Part III, Article 6 – Establishment of the arbitration panel	<p>...</p> <p>Article 6:</p> <p>...</p>
Part III, Article 20 – List of arbitrators	<p>3. In the event that the Parties are unable to agree on its composition within the time frame laid down in paragraph 2, either Party may request the chairperson of the CARIFORUM-EC Trade and Development Committee, or her or his delegate, to select all three members by lot from the list established under Article 20, one among the individuals proposed by the complaining Party, one among the individuals proposed by the Party complained against and one among the individuals selected by the Parties to act as chairperson....</p>
	Article 20:

⁵ Note to text: ‘Each Party may require that in the case of incorporation under its own law, investors must adopt a specific legal form. To the extent that such requirement is applied in a non-discriminatory manner, it does not need to be specified in a Party’s schedule of commitments in order to be maintained or adopted by the Parties.’

	<p>1. The CARIFORUM-EC Trade and Development Committee shall, no later than three months after the provisional application of this Agreement, establish a list of 15 individuals who are willing and able to serve as arbitrators. Each of the Parties shall select five individuals to serve as arbitrators. The two Parties shall also agree on five individuals that are not nationals of either Party and who shall act as chairperson to the arbitration panel....</p> <p>2. Arbitrators shall have specialised knowledge or experience of law and international trade. They shall be independent, serve in their individual capacities and not take instructions from any organisation or government, or be affiliated with the government of any of the Parties, and shall comply with the Code of Conduct annexed to the Rules of Procedures.</p> <p>3. The CARIFORUM-EC Trade and Development Committee may establish an additional list of 15 individuals having a sectoral expertise in specific matters covered by this Agreement. When recourse is made to the selection procedure of Article 6, the chairperson of the CARIFORUM-EC Trade and Development Committee may use such a sectoral list upon agreement of both Parties. The CARIFORUM-EC Trade and Development Committee shall establish an additional list of 15 individuals having an expertise in the specific matters covered by Chapters 4 and 5 of Title IV.</p>
<p>Part III, Article 15 – Rules of procedure</p> <p>Part III, Article 16 – Information and technical advice</p> <p>Part III, Article 19 – Arbitration panel rulings</p>	<p>‘Article 15:</p> <p>1. Dispute settlement procedures under Chapter 2 of this Part shall be governed by the Rules of Procedure which shall be adopted by the Joint CARIFORUM-EC Council within three month of provisional application of this Agreement.</p> <p>2. Any meeting of the arbitration panel <u>shall be open to the public</u> in accordance with the Rules of Procedure, unless the arbitration panel decides otherwise on its own motion or at the request of the Parties.</p> <p>Article 16:</p> <p>At the request of a Party, or upon its own initiative, the arbitration panel may obtain information from any source.... Interested parties are <u>authorised to submit amicus curiae briefs</u> to the arbitration panels in accordance with the Rules of Procedure....</p> <p>Article 19:</p> <p>1. The arbitration panel shall make every effort to take any decision by consensus. Where, nevertheless, a decision cannot be arrived at by consensus, the matter at issue shall be decided by majority vote. However, <u>in no case dissenting opinions of arbitrators shall be published.</u></p> <p>2. The ruling shall set out the findings of fact, the applicability of the relevant provisions of this Agreement and the reasoning behind any findings and conclusions that it makes. The CARIFORUM-EC Trade and Development Committee <u>shall make the arbitration panel rulings publicly available unless it decides not to do so.</u>’</p>

Appendix B

International Standard Industrial Classification of All Economic Activities (ISIC) Revision 3.1

I. Broad structure

The individual categories of ISIC have been aggregated into the following 17 sections:

Section Divisions Description

A 01, 02	Agriculture, hunting and forestry
B 05	Fishing
C 10-14	Mining and quarrying
D 15-37	Manufacturing
E 40, 41	Electricity, gas and water supply
F 45	Construction
G 50-52	Wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods
H 55	Hotels and restaurants
I 60-64	Transport, storage and communications
J 65-67	Financial intermediation
K 70-74	Real estate, renting and business activities
L 75	Public administration and defence; compulsory social security
M 80	Education
N 85	Health and social work
O 90-93	Other community, social and personal service activities
P 95-97	Activities of private households as employers and undifferentiated production activities of private households
Q 99	Extraterritorial organizations and bodies

II. Detailed structure

Section A Agriculture, hunting and forestry

Division 01 Agriculture, hunting and related service activities

011 Growing of crops; market gardening; horticulture

0111 Growing of cereals and other crops n.e.c.

0112 Growing of vegetables, horticultural specialties and nursery products

0113 Growing of fruit, nuts, beverage and spice crops

012 Farming of animals

0121 Farming of cattle, sheep, goats, horses, asses, mules and hinnies; dairy farming

0122 Other animal farming; production of animal products n.e.c.

013 0130 Growing of crops combined with farming of animals (mixed farming)

014 0140 Agricultural and animal husbandry service activities, except veterinary activities

015 0150 Hunting, trapping and game propagation including related service activities

Division 02 Forestry, logging and related service activities

020 0200 Forestry, logging and related service activities

Section B Fishing

- Division 05 Fishing, aquaculture and service activities incidental to fishing
 - 050 Fishing, aquaculture and service activities incidental to fishing
 - 0501 Fishing
 - 0502 Aquaculture

- Section C Mining and quarrying
 - Division 10 Mining of coal and lignite; extraction of peat
 - 101 1010 Mining and agglomeration of hard coal
 - 102 1020 Mining and agglomeration of lignite
 - 103 1030 Extraction and agglomeration of peat
 - Division 11 Extraction of crude petroleum and natural gas; service activities incidental to oil and gas extraction, excluding surveying
 - 111 1110 Extraction of crude petroleum and natural gas
 - 112 1120 Service activities incidental to oil and gas extraction excluding surveying
 - Division 12 Mining of uranium and thorium ores
 - 120 1200 Mining of uranium and thorium ores
 - Division 13 Mining of metal ores
 - 131 1310 Mining of iron ores
 - 132 1320 Mining of non-ferrous metal ores, except uranium and thorium ores
 - Division 14 Other mining and quarrying
 - 141 1410 Quarrying of stone, sand and clay
 - 142 Mining and quarrying n.e.c.
 - 1421 Mining of chemical and fertilizer minerals
 - 1422 Extraction of salt
 - 1429 Other mining and quarrying n.e.c.

- Section D Manufacturing
 - Division 15 Manufacture of food products and beverages
 - 151 Production, processing and preservation of meat, fish, fruit, vegetables, oils and fats
 - 1511 Production, processing and preserving of meat and meat products
 - 1512 Processing and preserving of fish and fish products
 - 1513 Processing and preserving of fruit and vegetables
 - 1514 Manufacture of vegetable and animal oils and fats
 - 152 1520 Manufacture of dairy products
 - 153 Manufacture of grain mill products, starches and starch products, and prepared animal feeds
 - 1531 Manufacture of grain mill products
 - 1532 Manufacture of starches and starch products
 - 1533 Manufacture of prepared animal feeds
 - 154 Manufacture of other food products
 - 1541 Manufacture of bakery products
 - 1542 Manufacture of sugar
 - 1543 Manufacture of cocoa, chocolate and sugar confectionery
 - 1544 Manufacture of macaroni, noodles, couscous and similar farinaceous products
 - 1549 Manufacture of other food products n.e.c.
 - 155 Manufacture of beverages
 - 1551 Distilling, rectifying and blending of spirits; ethyl alcohol production from fermented materials
 - 1552 Manufacture of wines
 - 1553 Manufacture of malt liquors and malt

- 1554 Manufacture of soft drinks; production of mineral waters
- Division 16 Manufacture of tobacco products
 - 160 1600 Manufacture of tobacco products
- Division 17 Manufacture of textiles
 - 171 Spinning, weaving and finishing of textiles
 - 1711 Preparation and spinning of textile fibres; weaving of textiles
 - 1712 Finishing of textiles
 - 172 Manufacture of other textiles
 - 1721 Manufacture of made-up textile articles, except apparel
 - 1722 Manufacture of carpets and rugs
 - 1723 Manufacture of cordage, rope, twine and netting
 - 1729 Manufacture of other textiles n.e.c.
 - 173 1730 Manufacture of knitted and crocheted fabrics and articles
- Division 18 Manufacture of wearing apparel; dressing and dyeing of fur
 - 181 1810 Manufacture of wearing apparel, except fur apparel
 - 182 1820 Dressing and dyeing of fur; manufacture of articles of fur
- Division 19 Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear
 - 191 Tanning and dressing of leather; manufacture of luggage, handbags, saddlery and harness
 - 1911 Tanning and dressing of leather
 - 1912 Manufacture of luggage, handbags and the like, saddlery and harness
 - 192 1920 Manufacture of footwear
- Division 20 Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials
 - 201 2010 Sawmilling and planing of wood
 - 202 Manufacture of products of wood, cork, straw and plaiting materials
 - 2021 Manufacture of veneer sheets; manufacture of plywood, laminboard, particle board and other panels and boards
 - 2022 Manufacture of builders' carpentry and joinery
 - 2023 Manufacture of wooden containers
 - 2029 Manufacture of other products of wood; manufacture of articles of cork, straw and plaiting materials
- Division 21 Manufacture of paper and paper products
 - 210 Manufacture of paper and paper products
 - 2101 Manufacture of pulp, paper and paperboard
 - 2102 Manufacture of corrugated paper and paperboard and of containers of paper and paperboard
 - 2109 Manufacture of other articles of paper and paperboard
- Division 22 Publishing, printing and reproduction of recorded media
 - 221 Publishing
 - 2211 Publishing of books, brochures and other publications
 - 2212 Publishing of newspapers, journals and periodicals
 - 2213 Publishing of music
 - 2219 Other publishing
 - 222 Printing and service activities related to printing
 - 2221 Printing
 - 2222 Service activities related to printing
 - 223 2230 Reproduction of recorded media
- Division 23 Manufacture of coke, refined petroleum products and nuclear fuel
 - 231 2310 Manufacture of coke oven products
 - 232 2320 Manufacture of refined petroleum products

- 233 2330 Processing of nuclear fuel
- Division 24 Manufacture of chemicals and chemical products
 - 241 Manufacture of basic chemicals
 - 2411 Manufacture of basic chemicals, except fertilizers and nitrogen compounds
 - 2412 Manufacture of fertilizers and nitrogen compounds
 - 2413 Manufacture of plastics in primary forms and of synthetic rubber
 - 242 Manufacture of other chemical products
 - 2421 Manufacture of pesticides and other agrochemical products
 - 2422 Manufacture of paints, varnishes and similar coatings, printing ink and mastics
 - 2423 Manufacture of pharmaceuticals, medicinal chemicals and botanical products
 - 2424 Manufacture of soap and detergents, cleaning and polishing preparations, perfumes and toilet preparations
 - 2429 Manufacture of other chemical products n.e.c.
 - 243 2430 Manufacture of man-made fibres
- Division 25 Manufacture of rubber and plastics products
 - 251 Manufacture of rubber products
 - 2511 Manufacture of rubber tyres and tubes; retreading and rebuilding of rubber tyres
 - 2519 Manufacture of other rubber products
 - 252 2520 Manufacture of plastics products
- Division 26 Manufacture of other non-metallic mineral products
 - 261 2610 Manufacture of glass and glass products
 - 269 Manufacture of non-metallic mineral products n.e.c.
 - 2691 Manufacture of non-structural non-refractory ceramic ware
 - 2692 Manufacture of refractory ceramic products
 - 2693 Manufacture of structural non-refractory clay and ceramic products
 - 2694 Manufacture of cement, lime and plaster
 - 2695 Manufacture of articles of concrete, cement and plaster
 - 2696 Cutting, shaping and finishing of stone
 - 2699 Manufacture of other non-metallic mineral products n.e.c.
- Division 27 Manufacture of basic metals
 - 271 2710 Manufacture of basic iron and steel
 - 272 2720 Manufacture of basic precious and non-ferrous metals
 - 273 Casting of metals
 - 2731 Casting of iron and steel
 - 2732 Casting of non-ferrous metals
- Division 28 Manufacture of fabricated metal products, except machinery and equipment
 - 281 Manufacture of structural metal products, tanks, reservoirs and steam generators
 - 2811 Manufacture of structural metal products
 - 2812 Manufacture of tanks, reservoirs and containers of metal
 - 2813 Manufacture of steam generators, except central heating hot water boilers
 - 289 Manufacture of other fabricated metal products; metalworking service activities
 - 2891 Forging, pressing, stamping and roll-forming of metal; powder metallurgy
 - 2892 Treatment and coating of metals; general mechanical engineering on a fee or contract basis
 - 2893 Manufacture of cutlery, hand tools and general hardware

- 2899 Manufacture of other fabricated metal products n.e.c.
- Division 29 Manufacture of machinery and equipment n.e.c.
 - 291 Manufacture of general-purpose machinery
 - 2911 Manufacture of engines and turbines, except aircraft, vehicle and cycle engines
 - 2912 Manufacture of pumps, compressors, taps and valves
 - 2913 Manufacture of bearings, gears, gearing and driving elements
 - 2914 Manufacture of ovens, furnaces and furnace burners
 - 2915 Manufacture of lifting and handling equipment
 - 2919 Manufacture of other general-purpose machinery
 - 292 Manufacture of special-purpose machinery
 - 2921 Manufacture of agricultural and forestry machinery
 - 2922 Manufacture of machine tools
 - 2923 Manufacture of machinery for metallurgy
 - 2924 Manufacture of machinery for mining, quarrying and construction
 - 2925 Manufacture of machinery for food, beverage and tobacco processing
 - 2926 Manufacture of machinery for textile, apparel and leather production
 - 2927 Manufacture of weapons and ammunition
 - 2929 Manufacture of other special-purpose machinery
 - 293 2930 Manufacture of domestic appliances n.e.c.
- Division 30 Manufacture of office, accounting and computing machinery
 - 300 3000 Manufacture of office, accounting and computing machinery
- Division 31 Manufacture of electrical machinery and apparatus n.e.c.
 - 311 3110 Manufacture of electric motors, generators and transformers
 - 312 3120 Manufacture of electricity distribution and control apparatus
 - 313 3130 Manufacture of insulated wire and cable
 - 314 3140 Manufacture of accumulators, primary cells and primary batteries
 - 315 3150 Manufacture of electric lamps and lighting equipment
 - 319 3190 Manufacture of other electrical equipment n.e.c.
- Division 32 Manufacture of radio, television and communication equipment and apparatus
 - 321 3210 Manufacture of electronic valves and tubes and other electronic components
 - 322 3220 Manufacture of television and radio transmitters and apparatus for line telephony and line telegraphy
 - 323 3230 Manufacture of television and radio receivers, sound or video recording or reproducing apparatus, and associated goods
- Division 33 Manufacture of medical, precision and optical instruments, watches and clocks
 - 331 Manufacture of medical appliances and instruments and appliances for measuring, checking, testing, navigating and other purposes, except optical instruments
 - 3311 Manufacture of medical and surgical equipment and orthopaedic appliances
 - 3312 Manufacture of instruments and appliances for measuring, checking, testing, navigating and other purposes, except industrial process control equipment
 - 3313 Manufacture of industrial process control equipment
 - 332 3320 Manufacture of optical instruments and photographic equipment
 - 333 3330 Manufacture of watches and clocks
- Division 34 Manufacture of motor vehicles, trailers and semi-trailers
 - 341 3410 Manufacture of motor vehicles
 - 342 3420 Manufacture of bodies (coachwork) for motor vehicles; manufacture of trailers and semi-trailers

- 343 3430 Manufacture of parts and accessories for motor vehicles and their engines
 - Division 35 Manufacture of other transport equipment
 - 351 Building and repairing of ships and boats
 - 3511 Building and repairing of ships
 - 3512 Building and repairing of pleasure and sporting boats
 - 352 3520 Manufacture of railway and tramway locomotives and rolling stock
 - 353 3530 Manufacture of aircraft and spacecraft
 - 359 Manufacture of transport equipment n.e.c.
 - 3591 Manufacture of motorcycles
 - 3592 Manufacture of bicycles and invalid carriages
 - 3599 Manufacture of other transport equipment n.e.c.
 - Division 36 Manufacture of furniture; manufacturing n.e.c.
 - 361 3610 Manufacture of furniture
 - 369 Manufacturing n.e.c.
 - 3691 Manufacture of jewellery and related articles
 - 3692 Manufacture of musical instruments
 - 3693 Manufacture of sports goods
 - 3694 Manufacture of games and toys
 - 3699 Other manufacturing n.e.c.
 - Division 37 Recycling
 - 371 3710 Recycling of metal waste and scrap
 - 372 3720 Recycling of non-metal waste and scrap
- Section E Electricity, gas and water supply
- Division 40 Electricity, gas, steam and hot water supply
 - 401 4010 Production, transmission and distribution of electricity
 - 402 4020 Manufacture of gas; distribution of gaseous fuels through mains
 - 403 4030 Steam and hot water supply

Appendix C

Coverage of bilateral investment treaties between CARIFORUM states and the major capital-exporters⁶ (EC and non-EC) (as at 1 June 2006)

	ATG	BAH	BRB	BEL	DMA	DOM	GRD	GUY	HAI	JAM	KNA	LCA	VCT	SUR	TTO
EC:															
BEL															
FRA						X			X	X					X
GER	X		X		X			X	X	X		X	X		
ITA			X												
LUX															
NED				X						X					
SPA						X				X					X
SWE															
UK	X		X	X	X		X	X	X	X		X			X
Non-EC:															
AUS															
CAN			X												X
HK															
JAP															
SNG															
SWI			X			X				X					
US							X			X					X

Source: UNCTAD (Investment Instruments Online); UNCTAD (Country-specific Lists of BITs)

Bilateral investment treaties concluded by CARIFORUM states (as at 1 June 2006)

Treaty	Signature	Entry into Force
ATG-GER	5 November 1998	28 February 2001
ATG-UK	12 June 1987	12 June 1987
BRB-CAN	29 May 1996	17 January 1997
BRB-China	20 July 1998	1 October 1999

⁶ The 'major capital-exporters' are those states whose outward stock of foreign direct investment was more than (US) \$100 billion in 2004, and whose outward stock either exceeded their inward stock in 2004 or was exceeded by their inward stock by a ratio of less than 2 to 1: data from UNCTAD, *World Investment Report 2005* (New York: United Nations, 2005) annex table B.2. All CARIFORUM states qualify as capital-importers, with the exception of six countries for whom there was insufficient data to measure inward versus outward stock: Antigua and Barbuda, Dominica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, and Suriname [see Appendix D].

BRB-Cuba	19 February 1996	13 August 1998
BRB-GER	2 December 1994	11 May 2002
BRB-ITA	25 October 1995	21 July 1997
BRB-Mauritius	28 September 2004	28 June 2005
BRB-SWI	29 March 1995	22 December 1995
BRB-UK	7 April 1993	7 April 1993
BRB-Venezuela	15 July 1994	31 October 1995
BEL-Austria	17 July 2001	1 February 2002
BEL-China	16 January 1999	--
BEL-Cuba	8 April 1998	16 April 1999
BEL-El Salvador	4 December 2001	--
BEL-ITA	23 November 2005	--
BEL-NED	20 September 2002	1 October 2004
BEL-Taiwan	16 January 1999	--
BEL-UK	30 April 1982	30 April 1982
DMA-GER	1 October 1984	11 May 1986
DMA-UK	23 January 1987	23 January 1987
DOM-Argentina	16 March 2001	--
DOM-Chile	28 November 2000	8 May 2002
DOM-Cuba	15 November 1999	--
DOM-Ecuador	26 June 1998	21 June 1999
DOM-Finland	27 November 2001	--
DOM-FRA	14 January 1999	23 January 2003
DOM-Haiti	8 October 1999	--
DOM-ITA	12 June 2006	--
DOM-South Korea	30 June 2006	--
DOM-Morocco	23 May 2002	--
DOM-Panama	6 February 2003	17 September 2006
DOM-SPA	16 March 1995	7 October 1996
DOM-SWI	27 August 2004	30 May 2006
DOM-Taiwan	5 November 1999	27 November 2001
DOM-UK	11 July 2002	--
GRD-UK	25 February 1988	25 February 1988
GRD-US	2 May 1986	3 March 1989
GUY-China	27 March 2003	26 October 2004
GUY-Cuba	22 October 1999	--
GUY-GER	6 December 1989	8 March 1994
GUY-South Korea	31 July 2006	--
GUY-SWI	31 December 2005	--
GUY-UK	27 October 1989	11 April 1990
HAI-DOM	8 October 1999	--
HAI-FRA	23 May 1984	25 March 1985
HAI-GER	14 August 1973	1 December 1975
HAI-UK	18 March 1985	27 March 1995
HAI-US	13 December 1983	--
JAM-Argentina	8 February 1994	1 December 1995
JAM-China	26 October 1994	1 April 1996
JAM-Cuba	31 May 1997	--
JAM-Egypt	10 February 1999	--
JAM-FRA	19 January 1993	15 September 1994

JAM-GER	24 September 1992	29 May 1996
JAM-Indonesia	10 February 1999	--
JAM-ITA	29 September 1993	9 November 1995
JAM-South Korea	10 June 2003	--
JAM-NED	18 April 1991	1 August 1992
JAM-Nigeria	5 August 2002	--
JAM-SPA	13 March 2002	25 November 2002
JAM-SWI	11 December 1990	21 November 1991
JAM-UK	20 January 1987	14 May 1987
JAM-US	4 February 1994	7 March 1997
JAM-Zimbabwe	10 February 1999	--
LCA-GER	16 March 1985	22 July 1987
LCA-UK	18 January 1983	18 January 1983
VCT-GER	25 March 1986	8 January 1989
SUR-Cuba	7 January 1999	--
SUR-Indonesia	28 October 1995	--
SUR-NED	31 March 2005	--
TTO-CAN	11 September 1995	8 July 1996
TTO-China	22 July 2002	24 May 2004
TTO-Cuba	26 May 1999	--
TTO-FRA	28 October 1993	16 May 1996
TTO-GER	8 September 2006	--
TTO-South Korea	5 November 2002	27 November 2003
TTO-Mexico	3 October 2006	--
TTO-SPA	3 July 1999	17 September 2004
TTO-UK	23 July 1993	8 October 1993
TTO-US	26 September 1994	26 December 1996

Source: UNCTAD Country-specific Lists of BITs; SICE (Foreign Trade Information System) data

Abbreviations:

CARIFORUM states:

ATG Antigua and Barbuda
BAH Bahamas
BRB Barbados
BEL Belize
DMA Dominica
DOM Dominican Republic
GRD Grenada
GUY Guyana
HAI Haiti
JAM Jamaica
KNA Saint Kitts and Nevis
LCA Saint Lucia
VCT Saint Vincent and the Grenadines
SUR Suriname
TTO Trinidad and Tobago

EC major capital-exporters:

BEL Belgium

FRA France
GER Germany
ITA Italy
LUX Luxembourg
NED Netherlands
SPA Spain
SWE Sweden
UK United Kingdom

Non-EC major capital exporters:

AUS Australia
CAN Canada
HK Hong Kong
JAP Japan
SNG Singapore
SWI Switzerland
US United States

Appendix D

CARIFORUM states – ratio of inward to outward FDI stock (millions of US dollars; 2004 data)

<i>Country</i>	<i>FDI inward stock</i>	<i>FDI outward stock</i>	<i>Ratio</i>
Antigua and Barbuda	1,121	No data	-
Bahamas	2,195	1,407	1.6 to 1
Barbados	451	43	10 to 1
Belize	693	44	15 to 1
Dominica	341	No data	-
Dominican Republic	8,468	59	143 to 1
Grenada	613	No data	-
Guyana	933	1	933 to 1
Haiti	240	4	60 to 1
Jamaica	5,783	1,079	5 to 1
Saint Kitts and Nevis	805	No data	-
Saint Lucia	1,157	No data	-
Saint Vincent and the Grenadines	669	No data	-
Suriname	No data	No data	-
Trinidad and Tobago	10,443	711	14 to 1

Source: UNCTAD, *World Investment Report 2005* (New York: United Nations, 2005) annex table B.2.