

**A TRADE AND ECONOMIC CO-OPERATION AGREEMENT
BETWEEN
THE GOVERNMENT OF CANADA
AND
THE GOVERNMENTS OF THE MEMBER STATES
OF THE CARIBBEAN COMMON MARKET**

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MEMBER STATES OF THE CARIBBEAN COMMON MARKET**

The Government of Canada (hereinafter referred to as "Canada") and the Governments of Antigua, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Montserrat, St. Kitts/Nevis/Anguilla, St. Lucia, St. Vincent and Trinidad and Tobago (hereinafter referred to as "Member States", being Member States of the Caribbean Common Market).

CONSCIOUS of the role played by the 1925 Canada-West Indies Trade Agreement as amended by the Protocol of 8 July 1966, in the development of trade and commercial relations between Canada and the Member States;

COGNISANT of the broadening of the areas of co-operation between the Contracting Parties since the conclusion of the 1925 Canada-West Indies Trade Agreement as amended by the Protocol of 8 July 1966;

MINDFUL of the mutually beneficial trade and economic relationship that Canada and the Member States have enjoyed;

RECOGNISING the continued importance of the ties of friendship and understanding existing between them;

MINDFUL of the common perspectives and the joint desire of Canada and the Member States to participate in the establishment of a more equitable and balanced relationship between developed and developing countries;

DETERMINED to accelerate their efforts toward the economic development and social progress of their countries and particularly the Member States;

NOTING the desire of the Member States to hasten the process of regional economic integration as an indispensable element in their economic development and particularly that of the Less Developed Countries among them, and their intention of promoting the diversification of the economies of the Member States by co-operation between these States and Canada in order to modernise and develop the principal sectors of their economies;

DESIRING a framework for the mutually advantageous and evolutionary development of their trade and economic relations,

HAVE AGREED as follows:

PART I
TRADE CO-OPERATION

ARTICLE I

1. The Contracting Parties shall, in accordance with the provisions of the General Agreement on Tariffs and Trade, foster co-operation in the field of trade with the aim of expanding the exchange of goods between them, having due regard to the provisions of Part IV of the General Agreement and the particular development needs of the Member States to expand and diversify their commercial exchanges in order to accelerate their rate of economic growth.

2. Pursuant to these objectives, the Contracting Parties undertake to accord to products originating in the territories of the other Contracting Parties, Most Favoured Nation treatment no less favourable than that accorded to products originating in third countries.

ARTICLE II

Canada and the Member States agree to apply to goods originating in each other's territories the highest degree of liberalisation which they apply to third countries in general, and

undertake to endeavour to grant each other the widest possible facilities for the expansion of trade in products in which Canada or any Member State has an interest.

ARTICLE III

Subject to the provisions of Article IV, nothing in this Agreement shall preclude Member States from applying import restrictions or prohibitions for reasons of their development needs including balance of payments difficulties.

ARTICLE IV

Except as provided for in relevant provisions of the General Agreement on Tariffs and Trade, prohibitions or restrictions shall not be applied by the Contracting Parties to imports of products originating in each other's territories unless the importation of like products originating in third countries is similarly prohibited or restricted. Such prohibitions or restrictions shall only be applied to the extent and for such time as may be necessary.

ARTICLE V

The treatment provided for under the above Articles shall be applied in a manner consistent with the provisions of the General Agreement on Tariffs and Trade. Any Member State which, in pursuance of the objective of promoting trade among developing countries, enters into a preferential agreement with any other developing country is not required under this Agreement to extend similar or comparable treatment to Canada provided such preferential arrangements are entered into in accordance with the provisions of the General Agreement on Tariffs and Trade. Where a Member State envisages concluding such a preferential arrangement, it shall inform the other Contracting Parties, and consultations shall take place when any other Contracting Party so requests, in order that its interest may be taken into account.

ARTICLE VI

1. The Contracting Parties shall, upon request, consult regarding measures or problems directly affecting the operation of this part of the Agreement.
2. The Contracting Parties shall periodically review the development of trade between Canada and the Member States and, as appropriate, international trade issues of common interest.

PART II **TECHNICAL AND FINANCIAL CO-OPERATION**

ARTICLE VII

The Contracting Parties, in order to complement bilateral arrangements for intergovernmental financial and technical co-operation, agree to promote co-operation in the implementation of regional programmes and projects proposed by the Member States for the purpose of contributing to economic and social development through regional integration.

ARTICLE VIII

Canada undertakes to consider the provision of specific financial and technical support within its bilateral and multilateral development assistance programmes for an agreed programme of regional projects including special emphasis, where appropriate, on the Windward and Leeward Islands and Belize.

ARTICLE IX

The Member States undertake to establish priorities and otherwise identify projects for inclusion in an agreed programme of regional projects which will normally be implemented and administered as part of the Canadian development assistance programme with Member States or regional institutions established by them.

ARTICLE X

The Contracting Parties shall periodically review and assess the programme of financial and technical co-operation in regional projects and, upon request, consult regarding specific projects within this programme.

PART III **INDUSTRIAL CO-OPERATION**

ARTICLE XI

In accordance with the Protocol to the present Agreement, and with a view to assisting the Member States, through industrial co-operation, to strengthen their capability individually and regionally to create new employment opportunities and incomes by diversifying and expanding their industrial base, and by providing and establishing the production and supporting facilities for sustained growth in manufacturing and related services, the Contracting Parties:

- (a) shall foster industrial co-operation in all fields deemed suitable by them for the purpose of the development and prosperity of their respective economies. This may include both intergovernmental arrangements and the facilitation, where appropriate, of co-operation involving industry and the service sectors;
- (b) shall periodically review the priorities, at both the national and regional levels, proposed by Member States for industrial co-operation and the form such co-operation might take, including:
 - (i) the transfer, adaptation and development of technology and related training;
 - (ii) research, pre-investment and pre-feasibility studies and other forms of project preparation;
 - (iii) industrial investment;
 - (iv) market development.

ARTICLE XII

The Contracting Parties shall, as appropriate, encourage and facilitate, *inter alia*:

- (i) co-operation between their respective governmental and non-governmental agencies and industries, including joint ventures;
- (ii) greater participation and increased investment by their respective agencies and firms in the industrial development particularly of the Member States mutually advantageous terms;
- (iii) the conclusion of agreements and contracts between interested agencies and firms in Canada and the Member States;
- (iv) co-operation between their respective industrial and agricultural research institutions;
- (v) the development of direct shipping services open to the participation of their shipping lines.

ARTICLE XIII

The Contracting Parties shall periodically review the development of industrial co-operation between Canada and the Member States, as provided for in the Protocol to this Agreement and, upon request, shall consult on individual projects. They shall also review, as appropriate, industrial co-operation matters arising in international organisations and agencies.

PART IV **INSTITUTIONS**

ARTICLE XIV

1. In order to promote trade and other economic co-operation between them and in order to ensure effective implementation of this Agreement, the Contracting Parties agree to establish a Joint Trade and Economic Committee.
2. The Joint Trade and Economic Committee shall, *inter alia*:
 - (a) consider and, as appropriate, recommend measures to the respective governments to further develop trade and economic relations;
 - (b) consider opportunities for and modalities of industrial, technical, financial, agricultural and transportation co-operation;
 - (c) exchange views on other trade and economic matters that may be included by mutual consent in the Committee's Agenda;
 - (d) review and assess developments as provided for in Articles VI, X and XIII.
3. The Committee shall normally meet annually. Special meetings of the Committee shall be held at the request of a Contracting Party.

ARTICLE XV

In pursuit of this Agreement the Contracting Parties shall, subject to their respective laws and regulations and in accordance with their respective economic and social objectives:

- (a) facilitate access to their respective countries for individuals wishing to pursue matters related to trade and economic relations; and
- (b) generally accord fair and equitable treatment to individuals and enterprises of the other Contracting Parties.

PART V **GENERAL PROVISIONS**

ARTICLE XVI

A Contracting Party envisaging the introduction of any measure affecting the interests of other Contracting Parties under this Agreement shall, where feasible, inform the other Contracting Parties.

ARTICLE XVII

Nothing in this Agreement shall be construed as affecting the right of Canada and any Member State to enter into bilateral arrangements between them.

PART VI **FINAL PROVISIONS**

ARTICLE XVIII

This Agreement shall enter into force on signature by all the Contracting Parties. Upon its entry into force, this Agreement shall terminate the Agreement on Trade Relations of 9 April 1912, concluded between Canada, Trinidad, British Guiana, Barbados, St. Lucia, St. Vincent, Antigua, St. Kitts/Nevis/Anguilla, Dominica and Montserrat. It is further agreed that the Canada/West Indies Trade Agreement of 6 July 1925, as amended by the Protocol of 8 July 1966, shall be deemed to have been terminated in respect of each Member State from the effective date of termination conveyed in its notification to Canada.

ARTICLE XIX

This Agreement may be amended by an amending Protocol concluded by the Contracting Parties.

ARTICLE XX

1. This Agreement shall remain in force for five years. Thereafter, it shall continue in force subject to the right of any Contracting Party, on twelve months' notice, to denounce it with respect to any other Contracting Party. The denunciations shall be made by notification addressed to the Secretary-General of the Caribbean Community Secretariat who shall inform the Contracting Parties of such notice.

In the case of denunciation, it shall operate only as regards that State.

ARTICLE XXI

The original of the present Agreement, of which the English and French texts are equally authentic, shall be deposited with the Secretary-General of the Caribbean Community Secretariat, who shall send certified copies thereof to all Contracting Parties.

IN WITNESS WHEREOF the undersigned, duly authorised by their respective Governments, have signed the present Agreement.

DONE at KINGSTON this 20th day of JANUARY 1979.

Signed by DON JAMIESON
For the Government of Canada
on 20 JANUARY 1979

Signed by LESTER BIRD
P. J. PATTERSON
For the Government of Antigua
of Jamaica
on 20 JANUARY 1979
20 JANUARY 1979

Signed by
For the Government
on

Signed by H. DaB. Forde
J. A. OSBOURNE
For the Government of Barbados
of Montserrat
on 20 JANUARY 1979
14 FEBRUARY 1979

Signed by
For the Government
on

Signed by V. H. COURTENAY
CHARLES E. MILLS
For the Government of Belize
of St. Kitts/Nevis/Anguilla
on 20 JANUARY 1979
20 JANUARY 1979

Signed by
For the Government
on

Signed by <u>O. SERAPHIN</u> <u>JOHN COMPTON</u> For the Government of Dominica of St. Lucia on <u>20 JANUARY 1979</u> <u>20 JANUARY 1979</u>	Signed by For the Government on <u>20 JANUARY 1979</u>
Signed by <u>DEREK KNIGHT</u> <u>R. MILTON CATO</u> For the Government of Grenada of St. Vincent on <u>20 JANUARY 1979</u> <u>12 FEBRUARY 1979</u>	Signed by For the Government on <u>20 JANUARY 1979</u>
Signed by <u>R. E. JACKSON</u> <u>B. L. BASIL PITT</u> For the Government of Guyana of Trinidad and Tobago on <u>23 APRIL 1979</u> <u>20 JANUARY 1979</u>	Signed by For the Government on <u>20 JANUARY 1979</u>

PROTOCOL ON INDUSTRIAL CO-OPERATION

The Contracting Parties to the Trade and Economic Co-operation Agreement signed at Kingston on 20 January 1979 between the Government of Canada and the Governments of the Member States of the Caribbean Common Market (hereinafter referred to as the "Agreement").

Acting pursuant to Part III of that Agreement, have agreed as follows:

ARTICLE I

The Provisions of the Protocol on Industrial Co-operation attached hereto shall be deemed to be annexed to and form part of the Agreement.

ARTICLE II

This Protocol shall enter into force on signature by all the Contracting Parties to the Agreement. It shall remain in force for five years. Thereafter it shall continue in force subject to the right of any Contracting Party following the initial period of five years to denounce it at any time with respect to any other Contracting Party on twelve months' notice. Denunciation of the Agreement shall be regarded as denunciation of this Protocol.

ARTICLE III

The original of the present Protocol shall be deposited with the Secretary-General of the Caribbean Community Secretariat who shall send certified copies thereof to all Contracting Parties.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective governments, have signed this Protocol.

DONE at KINGSTON this 20th day of JANUARY 1979 in a single copy in the English and French languages, each text being equally authentic.

Signed by DON JAMIESON
For the Government of Canada
on 20 JANUARY 1979

Signed by <u> LESTER BIRD </u> <u> P. J. PATTERSON </u> For the Government of Antigua	Signed by For the Government of Jamaica
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on <u> 20 JANUARY 1979 </u> <u> 20 JANUARY 1979 </u>	on
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Signed by <u> H. DeB. FORDE </u> <u> J. A. OSBOURNE </u> For the Government of Barbados of Montserrat	Signed by For the Government
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on <u> 20 JANUARY 1979 </u> <u> 14 FEBRUARY 1979 </u>	on
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Signed by <u> V. H. COURTENAY </u> <u> CHARLES E. MILLS </u> For the Government of Belize of St. Kitts/Nevis/Anguilla	Signed by For the Government
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on <u> 20 JANUARY 1979 </u> <u> 20 JANUARY 1979 </u>	on
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Signed by <u> O. SERAPHIN </u> <u> JOHN COMPTON </u> For the Government of Dominica of St. Lucia	Signed by For the Government
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on <u> 20 JANUARY 1979 </u> <u> 20 JANUARY 1979 </u>	on
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Signed by <u> DEREK KNIGHT </u> <u> R. MILTON CATO </u> For the Government of Grenada of St. Vincent	Signed by For the Government
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on <u> 20 JANUARY 1979 </u> <u> 12 FEBRUARY 1979 </u>	On
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Signed by <u> R. E. JACKSON </u> <u> B. L. BASIL PITT </u> For the Government of Guyana of Trinidad and Tobago	Signed by For the Government
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on <u> 23 APRIL 1979 </u> <u> 20 JANUARY 1979 </u>	on
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PROTOCOL ON INDUSTRIAL CO-OPERATION

1. This Protocol amplifies the intentions of the Contracting Parties with respect to the provisions for Industrial Co-operation as set out in **PART III** of the Agreement on Trade and Economic Co-operation between Canada and the CARICOM Member States. (**PART II** of the Agreement provides for intergovernmental co-operation in technical and financial matters on a regional basis).

2. In **PART III**, the Contracting Parties agree to encourage Canadian agencies, firms and investors to participate in the industrial development of the Member States, where those States so desire, in accordance with their economic and social objectives and consonant with their aspirations for closer regional economic integration. Equally, the Contracting Parties recognise that to encourage such industrial co-operation they must accord fair and equitable treatment to individuals of other Contracting Parties.

3. Articles XI and XII of the Agreement outline the main forms of industrial co-operation which the Contracting Parties agree to facilitate. More generally, in encouraging such industrial co-operation, they agree that full account should be taken of the following objectives of the Member States:

- (A) to promote the development and diversification of industry and related services in the Member States and to help bring about a more equitable distribution of industry among those States;
- (B) to increase the utilisation of raw materials of the Member States and create greater linkages between industry and the other sectors of each national economy, in particular agriculture and tourism on the one hand, and between the national economies of the Member States on the other hand;
- (C) to achieve greater efficiency in industrial production through efforts at complementarity, achieving economies of large scale production and promoting the expansion of exports to markets both within and outside the Member States;
- (D) to facilitate, to the greatest extent possible, the transfer of technology to the Member States and to promote the adaptation and further development of such technology to their specific conditions and needs in all feasible ways including expanding the capacity of the Member States for research and development for adaptation of technology and for training in industrial skills at all levels in these States.

4. Canada, in facilitating industrial co-operation for the purposes of this Agreement, recognises the priority attached by Member States to the development of the following types of industries and related services, including infrastructure and support facilities:

- (I) industries which make significant use of regional raw materials;
- (II) industries which are substantially owned and effectively controlled by an individual or enterprise of a Member State or Member States themselves;
- (III) industries with special export potential;
- (IV) industries which contribute significantly to the reduction of unemployment in the Member States;
- (V) industries defined by the Member States as integration industries;

- (VI) industrial and related services required for the acceleration of the industrial development of Member States;

(VII) industries which are located in the Less Developed Countries of the Caribbean Community and the Common Market.

5. Member States, in order to facilitate industrial co-operation for the purposes of this Agreement, will provide indications of their individual industrial development priorities to complement the foregoing more general priorities of Member States. Such additional national development intentions, by sector or other appropriate breakdown, together with Canadian indications of sectoral interests will form the basis for discussion of specific industrial co-operation initiatives.

6. The Contracting Parties will also co-operate on the transfer of technology and possible establishment and expansion of industrial research facilities in Member States. In particular, Canada will assist in the development of industrial management and engineering skills in Member States through such measures as training assistance and the possible utilisation of Member States' consultants and consulting firms, wherever practical in association with Canadian firms, in Canadian development assistance projects.

7. The Contracting Parties agree to encourage the adoption of measures to promote industrial co-operation by regional institutions such as the Caribbean Development Bank and the Caribbean Investment Corporation. They recognise the importance of financing, such as export credit facilities on conditions as favourable as possible, for the further development of their trade and industrial relations. They also recognise the importance of facilitating the exchange of information on investment possibilities, the utilisation of investment missions, and similar measures in order to draw attention to possibilities of industrial co-operation.

8. Canada and the Member States agree to examine the most effective marketing methods, techniques and strategies for the expansion of trade in the products of the industries of Member States, particularly the less developed ones, especially with respect to products of industrial co-operation projects arranged under the Agreement, both within the Joint Trade and Economic Committee established under the Agreement and, as appropriate, through other bilateral and multilateral fora.

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