

# Eleventh Report to Congress on the Operation of the Caribbean Basin Economic Recovery Act

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Prepared by the Office of the United States Trade Representative





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## Executive Summary

- The U.S. trade preferences programs for the Central American and Caribbean region, initially launched in 1983 by the Caribbean Basin Economic Recovery Act (CBERA), and known collectively as the Caribbean Basin Initiative (CBI), continue to generate important benefits for the beneficiary countries. The expansion of CBI benefits through enactment of the Caribbean Basin Trade Partnership Act (CBTPA) in 2000, relevant provisions in the Trade Act of 2002, the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006 (HOPE Act), the HOPE II Act of 2008, the Haitian Economic Lift Program Act of 2010 (HELP Act), and the Trade Preferences Extension Act of 2015, represents an important affirmation of the ongoing U.S. commitment to economic development in the Caribbean Basin, by expanding duty-free access to the U.S. market for CBI goods.
- Combined with economic reform and other actions taken by beneficiary countries<sup>1</sup> to liberalize their trade regimes, the trade benefits of CBI have both helped beneficiary countries and certain dependent territories in the region diversify their exports and have contributed to their economic growth.
- On August 5, 2004, the United States signed the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) with five Central American countries (Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua) and the Dominican Republic. The CAFTA-DR entered into force for El Salvador on March 1, 2006; for Honduras on April 1, 2006; for Nicaragua on April 1, 2006; for Guatemala on July 1, 2006; for the Dominican Republic on March 1, 2007; and for Costa Rica on January 1, 2009. When the CAFTA-DR entered into force for each of these countries, that country ceased to be designated as a CBERA and CBTPA beneficiary country.
- On October 31, 2012, the United States-Panama Trade Promotion Agreement (U.S.–Panama TPA) entered into force and Panama ceased to be designated as a CBERA-CBTPA beneficiary country.
- As a result of the decrease in the number of beneficiary countries since 2006, total trade with CBI countries has decreased, both in absolute terms and as a percentage of total U.S. trade.
- The total value of U.S. imports from beneficiary countries<sup>2</sup> in 2014 was \$8.2 billion, a decrease of \$687.7 million from the previous year and of \$3.6 billion from 2012.<sup>3</sup> The decline in U.S. imports from CBI beneficiaries in both 2013 and 2014 was mostly due to a sharp decrease in U.S. imports of crude petroleum and refined petroleum products, reflecting falling U.S. consumption, coupled with increased U.S. production of crude petroleum. The shut down and maintenance of several refinery plants by Trinidad’s Petrotrin refinery may also have impacted

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<sup>1</sup> This report uses the term “beneficiary countries” to refer to the sovereign countries and dependent territories that receive preferential access to the U.S. market in accordance with the provisions of the CBERA and/or the CBTPA.

<sup>2</sup> Beneficiary countries in 2014 were: Antigua and Barbuda, Aruba, The Bahamas, Barbados, Belize, British Virgin Islands, Curaçao, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, St. Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, and Trinidad and Tobago.

<sup>3</sup> Imports for consumption, customs value.

imports.

- The CBI's share of total U.S. imports was 0.4 percent in 2014 and 2013. While the overall value of imports is small, imports under CBI tariff preferences accounted for relatively significant proportions of total U.S. imports from several beneficiary countries.
- The total value of U.S. exports to beneficiary countries was \$12.8 billion in 2014,<sup>4</sup> up \$314.6 million from 2013, but down \$6.5 billion from 2012, due primarily to the entry into force of the U.S.-Panama TPA. The CBI's share of total U.S. exports was 0.9 percent in 2014 and 2013. The CBI region as a whole ranked as the 23rd largest market for U.S. exports.
- CBI exporters from certain eligible countries and by U.S. companies importing from those countries continue to use the CBTPA provisions extensively. The eligibility criteria contained in the CBI statutes, including the revised factors outlined in the 2000 CBTPA, continue to provide opportunities to advance important U.S. policy objectives.
- U.S. engagement with the Caribbean Basin through the CBI offers an important opportunity to foster the active participation of countries and dependent territories in the region in various initiatives to promote trade liberalization and to help CBI beneficiary countries and dependent territories make the structural changes necessary for them to take full advantage of trade liberalization in the Western Hemisphere.

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<sup>4</sup> Domestic exports, free alongside ship (F.A.S.) value.



## Introduction

The programs known collectively as the CBI are vital elements in U.S. economic relations with its neighbors in the Caribbean and Central America. Initially launched in 1983 by the CBERA and substantially expanded in 2000 with the CBTPA, the CBI was further expanded in the Trade Act of 2002. The HOPE Act, the HOPE II Act of 2008, and the HELP Act provided additional benefits for textile and apparel products from Haiti. As of 2015, CBI provides 17 countries and dependent territories with duty-free access to the U.S. market for most goods.

The CBI was initially envisioned as a program to facilitate the economic development and export diversification of the Caribbean Basin economies. However, after more than three decades, it is clear that the CBI also provides important benefits to the United States. U.S. exports to the CBI beneficiary countries reached \$12.8 billion in 2014. The value of U.S. exports to CBERA beneficiary countries grew 2.5 percent in 2014, exceeding the growth rate for total global U.S. exports, which grew 2.1 percent.

CBI beneficiary countries are subject to eligibility criteria set out in the various statutes. These criteria, and the performance of CBI eligible countries and dependent territories in addressing them, are discussed in detail in Chapter 3. The U.S. Government conducted an extensive review of all CBI beneficiary countries in mid-2000, in connection with the implementation of the CBTPA, which reflected a revised set of eligibility criteria for receiving enhanced trade benefits. This review process provided an important opportunity to engage with CBI trading partners to advance the U.S. policy objectives.

In the CBTPA, Congress highlighted the commitment of the United States to promote economic growth in the Caribbean Basin, and noted that it is the policy of the United States to seek a free trade agreement with willing countries in the region at the earliest possible date.

Enactment of the Trade Act of 2002 represented a strong reinforcement of the U.S. commitment to economic engagement with its Caribbean Basin neighbors. In addition to harmonizing apparel eligibility criteria among the Andean Trade Preferences Act, the African Growth and Opportunity Act, and the CBTPA programs, the Trade Act of 2002 increased the upper limits for duty-free treatment of knit apparel articles and t-shirts from the Caribbean Basin.

The HOPE Act further amended the CBERA program by establishing special new rules of origin that make Haiti eligible for new trade benefits for apparel imports and that enhance sourcing flexibility for apparel producers in Haiti. The HOPE II Act modified the existing trade preference programs under the HOPE Act and added other new programs that allow for duty-free treatment for qualifying Haitian-produced apparel. In 2010, the HELP Act extended the CBTPA and the HOPE Acts through September 30, 2020. The HELP Act also provided duty-free treatment for additional textile and apparel products from Haiti. In June 2015, the Trade Preferences Extension Act of 2015 extended trade benefits provided to Haiti in the HOPE Act, Hope II Act, and the HELP Act until September 30, 2025.

Pursuant to section 212(f) of the CBERA, on a biennial basis the United States Trade Representative (USTR) is required to submit a report to Congress regarding the results of the general review of beneficiary countries and their performance under the eligibility criteria. This

Report provides an important opportunity to evaluate the effects of these expansions of CBI trade preferences. It is clear that the preference provisions are being actively used by beneficiary countries and U.S. industries. The Administration will continue to work with Congress, the private sector, CBI beneficiary countries, and other interested parties to ensure a faithful and effective implementation of this important extension of trade benefits.

## **Description of the Caribbean Basin Initiative Key Product Eligibility Provisions**

### ***CBERA***

The CBERA, originally enacted in 1983, allows the President to grant unilateral duty-free treatment for imports of eligible articles from CBI beneficiary countries.<sup>5</sup> In order to receive benefits, products generally must: a) be imported directly from a CBI beneficiary country into the U.S. customs territory; b) be wholly the growth, product or manufacture of a CBI beneficiary country or be substantially transformed into a new or different article in the CBI beneficiary country; and c) contain a minimum of 35 percent local content of one or more CBI beneficiary countries (15 percent of the minimum content may be from the United States).

In 1990, the CBERA was amended to provide an increase in market access to the United States and to make the CBERA permanent. These amendments expanded the trade and tax benefits of the original statute, including: a 20 percent tariff reduction on certain leather products; duty-free treatment for products produced in Puerto Rico and further processed and imported from CBI beneficiary countries; and duty-free treatment from CBI beneficiary countries for products made from 100 percent U.S. components. Textile and apparel articles, and petroleum and certain products derived from petroleum, however, are excluded from duty-free treatment under the CBERA.

In addition, as part of efforts to make the program more effective through administrative enhancements, the President expanded the list of products eligible for duty-free treatment through two proclamations. In 1991, 94 tariff categories were provided new or expanded duty-free treatment, and in 1992, 28 tariff categories were provided new or expanded duty-free treatment. These proclamations make the scope of CBERA parallel the language of the Generalized System of Preferences (GSP).

### ***CBTPA***

In October 2000, the United States adopted the CBTPA to enhance existing CBERA preferences.<sup>6</sup> The CBTPA recognized the importance of apparel as a component of CBI exports to the United States, and expanded the degree of preferential treatment applied to U.S. imports of apparel made in the Caribbean Basin region.

Under the CBTPA, duty- and quota-free treatment is provided for apparel assembled in CBI countries from U.S. fabrics formed from U.S. yarns and cut in the United States. If the U.S. fabrics used in the production of such apparel are cut into parts in the CBTPA beneficiary countries rather than in the United States, the apparel must also be sewn together with U.S. thread in order to qualify for preferential treatment. Duty- and quota-free treatment is also available for certain knit apparel made in CBTPA beneficiary countries from fabrics formed in the Caribbean Basin region, provided that the fabric is formed from U.S. yarns. This “regional fabric” benefit for knit apparel is subject to an annual quantitative limit, with a separate limit

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<sup>5</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 201, 97 Stat. 384 (1983).

<sup>6</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211, 114 Stat. 276 (2000).

provided for t-shirts. The limits were subject to annual growth rates of 16 percent through September 30, 2004. (These limits were later amended by the Trade Act of 2002, discussed below.) Duty- and quota-free treatment is also available for certain brassieres, certain textile luggage, apparel made in CBI countries from fabrics determined not to be available in commercial quantities in the United States, and designated “hand-loomed, handmade, or folklore” articles.

In addition to these apparel preferences, the CBTPA provides tariff treatment equivalent to that extended to Mexican products under the North American Free Trade Agreement (NAFTA) for certain items previously excluded from duty-free treatment under the CBI program. These products are: footwear, canned tuna, petroleum products, certain watches and watch parts, certain handbags, luggage, flat goods, work gloves and leather wearing apparel.

### ***Trade Act of 2002***

The Trade Act of 2002 amended the CBERA to grant additional benefits to Caribbean Basin apparel products.<sup>7</sup> Specifically, these changes permit the use of U.S. and regional knit-to-shape components in eligible apparel articles. The Trade Act of 2002 also grants preferences to “hybrid articles,” which are articles that contain U.S. and regional components, and specified that both fabric and knit-to-shape components may be used in eligible articles. In addition, the Trade Act of 2002 substantially increases the annual quantitative limit for eligible knit apparel articles and nearly doubles the separate limits for t-shirts. The Act also requires that for apparel assembled in the region from U.S. knit or woven fabrics, all dyeing, printing, and finishing of the fabric must be done in the United States.

### ***HOPE Act***

The United States enacted the HOPE Act in 2006 to make Haiti eligible for new trade benefits, in addition to those it received under CBI.<sup>8</sup> Under CBTPA, apparel imports from Haiti only qualify for duty-free treatment if they are made from U.S. or Haitian fabric. However, the HOPE Act allows apparel imports from Haiti to enter the United States duty free if at least 50 percent of the value of inputs and/or costs of processing are from any combination of U.S., FTA partner countries, and regional preference program partner countries. The quantity of apparel eligible for duty-free treatment under HOPE is subject to a limit of two percent of overall U.S. apparel imports

The HOPE Act also removes duties for three years on a specified quantity of woven apparel imports from Haiti made from fabric produced anywhere in the world. Finally, the HOPE Act allows automotive wire harnesses imported from Haiti that contain at least 50 percent by value of materials produced in Haiti, U.S., FTA partner countries, or regional preference program countries to qualify for duty-free treatment.

The HOPE Act requires that in order to receive benefits, Haiti must demonstrate that it is

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<sup>7</sup> Trade Act of 2002, Pub. L. No. 107-210, § 101, 116 Stat. 933 (2002).

<sup>8</sup> Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006, Pub. L. No. 109-432, § 5001, 120 Stat. 3180 (2006).

“making continual progress toward establishing”: 1) a market-based economy, 2) the rule of law, political pluralism, and due process, 3) the elimination of barriers to U.S. trade and investment, 4) economic policies to reduce poverty, increase the availability of health care and education and promote private enterprise, 5) a system to combat corruption, and 6) the protection of internationally recognized worker rights. Haiti will also lose benefits if it undermines U.S. foreign policy interests or engages in gross violations of human rights or provides support for acts of international terrorism (see country notes for Haiti, p. 54-57).

### ***HOPE II Act***

The HOPE II Act was enacted in 2008 to continue and expand the original HOPE Act.<sup>9</sup> HOPE II provides for duty-free access for up to 70 million square meter equivalents (SME) of knit apparel (with some t-shirt and sweatshirt exclusions) and 70 million SMEs of woven apparel without regard to the country of origin of the fabric or components, as long as the apparel is wholly assembled or knit-to-shape in Haiti. HOPE II provides for duty-free treatment of knit or woven apparel under a “three for one” earned import allowance program: for every three SMEs of qualifying fabric (sourced from the United States or certain trade partner countries) shipped to Haiti for production of apparel, qualifying apparel producers may export duty-free from Haiti or the Dominican Republic to the United States one SME of apparel wholly-formed or knit-to-shape in Haiti regardless of the source of the fabric. HOPE II also provides for duty-free treatment for certain brassieres, luggage, headgear, and certain sleepwear. HOPE II allows these Haitian goods to enter the United States duty-free if shipped either directly from Haiti or through the Dominican Republic.

In October 2009, President Obama certified that Haiti met the labor requirements that Congress included in HOPE II. To meet these requirements, Haiti issued a decree establishing an independent labor ombudsman’s office, and the President of Haiti selected a labor ombudsman following consultation with unions and industry representatives. In addition, Haiti, in cooperation with the International Labor Organization (ILO), established a Technical Assistance Improvement and Compliance Needs Assessment and Remediation (TAICNAR) Program. Haiti also implemented an electronic visa system that acts as a registry of Haitian producers of articles eligible for duty-free treatment and has made participation in the TAICNAR Program a condition of using this visa system.

Under HOPE II, the President must identify producers on a biennial basis who have failed to comply with core labor standards and with the labor laws of Haiti that directly relate to and are consistent with such standards, and to seek to assist such producers in coming into compliance with core labor standards and related Haitian laws. The President has delegated his authority to the Secretary of Labor, in consultation with the USTR to identify any such producers and provide remediation assistance to them. In December 2011, the Secretary of Labor identified three producers as noncompliant with one or more core labor standards. These findings were related to the following core labor standards: (i) freedom of association; (ii) discrimination, in particular sexual harassment; and (iii) forced labor, in particular certain mandatory overtime practices. The U.S. Department of Labor (DOL) provided assistance to the producers and the producers remediated the non-compliance findings. At the end of 2015, the Secretary of Labor did not issue any formal identifications of non-

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<sup>9</sup> Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008, Pub. L. No. 110-246, § 15401, 122 Stat. 2289 (2008)

compliance with core labor standards. While several cases did arise over the two year review period, primarily concerning freedom of association and gender discrimination, these matters were effectively resolved before the end of the identification period.

The HOPE II Act also requires an annual report to the House Ways and Means Committee and Senate Finance Committee on implementation of the Act's requirements on the Labor Ombudsman and the TAICNAR Program. Specifically, the report must include: (i) the efforts of Haiti, the President, and the ILO to carry out the provisions in the Act relating to labor, (ii) a summary of the biannual TAICNAR reports, and (iii) any identification of producers who have failed to comply with core labor standards and related Haitian labor laws and any reinstatement of preferential treatment if it has been previously suspended. The President has delegated authority to the USTR to submit this report. The most recent report was submitted to Congress on June 18, 2015.

### ***HELP Act***

In May 2010, the President signed the HELP Act.<sup>10</sup> The HELP Act further expanded existing preferences for apparel and established new preferences for certain non-apparel textile goods. With the exception of the Value-Added tariff rate quota (which expires in December 2018), HELP extended all of CBTPA's and the HOPE/HOPE II preference programs through September 2020.

Additionally, HELP established new preferences, which were to expire in 2018, providing unlimited duty-free treatment for certain knit apparel and certain non-apparel textiles wholly assembled or knit-to-shape in Haiti, using fabric or components from any source.

### ***Trade Preferences Extension Act of 2015***

In June 2015, the President signed the Trade Preferences Extension Act of 2015 (TPEA), which extends duty-free benefit programs for Haiti for an additional five years, until September 30, 2025.<sup>11</sup> The TPEA lengthens special duty-free preferences provided under the HOPE, HOPE II, and HELP programs for textiles and apparel, assembled in Haiti and imported to the United States from Haiti or the Dominican Republic. The TPEA also extends the value-added rule for apparel articles wholly assembled or knit-to-shape in Haiti for an additional seven years ending December 19, 2025. Eligible articles under the act remain capped at 1.25 percent of total U.S. apparel imports.

### **Beneficiary Countries**

As of 2015, 17 countries and dependent territories receive CBERA and/or CBTPA benefits. Chapter 3 discusses the CBERA and CBTPA eligibility criteria and provides a summary of CBI country compliance with these criteria on the part of CBI countries. The President is authorized to terminate a countries designation, limit, suspend, or withdraw CBI benefits if conditions change with regard to performance in connection with the statutory eligibility criteria.

CBERA identified 20 countries and dependent territories as eligible to receive CBERA benefits on January 1, 1984: Antigua and Barbuda, Barbados, Belize, British Virgin Islands, Costa Rica,

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<sup>10</sup> Haiti Economic Lift Program Act of 2010, Pub. L. No. 111-171, § 1, 124 Stat. 1194 (2010).

<sup>11</sup> Trade Preferences Extension Act of 2015, Pub. L. No. 114-27, § 101, 129 Stat. 361 (2015).

Dominica, Dominican Republic, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Montserrat, Netherlands Antilles, Panama, St. Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, and Trinidad and Tobago. The Bahamas was designated on March 14, 1985. On April 11, 1986, Aruba was designated as a beneficiary country effective January 1, 1986, upon becoming independent of the Netherlands Antilles. Guyana was designated effective November 24, 1988, and Nicaragua was designated as a beneficiary country effective November 13, 1990. This brought the total number of beneficiary countries to 24.

Anguilla, Cayman Islands, Suriname, and Turks and Caicos Islands have also been identified by Congress as potentially eligible for benefits. Suriname requested beneficiary status in 2009 and the United States continues to consult with the Government of Suriname regarding its request. The other countries have not requested beneficiary status.

Based on the criteria described in Chapter 3 of this report, on October 2, 2000, President Clinton designated all 24 of the then-existing CBERA beneficiary countries as eligible beneficiaries under the CBTPA. The CBTPA requires an additional determination that countries and dependent territories have implemented or are making substantial progress toward implementing certain customs procedures based on those contained in the NAFTA. (See discussion below.) As of the date of this report, eight countries have satisfied this requirement and have been designated as fully eligible to receive the enhanced benefits of the CBTPA: Barbados, Belize, Curaçao, Guyana, Haiti, Jamaica, Saint Lucia, and Trinidad and Tobago. The United States may designate additional CBTPA eligible beneficiaries in the future, provided that they satisfy the customs-related requirements.

Eight countries are no longer eligible for benefits due to the passage of free trade agreements with the United States. In particular, on August 5, 2004, the United States signed the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR). The CAFTA-DR entered into force for El Salvador on March 1, 2006; for Honduras on April 1, 2006; for Nicaragua on April 1, 2006; for Guatemala on July 1, 2006; for the Dominican Republic on March 1, 2007; and for Costa Rica on January 1, 2009. When the CAFTA-DR entered into force for each of these countries, the country ceased to be designated as a CBERA and CBTPA beneficiary country.

On October 12, 2011, the Congress passed legislation approving the United States-Panama Trade Promotion Agreement and President Obama signed the legislation on October 21, 2011. This agreement entered into force on October 31, 2012, and Panama ceased to be designated as a CBERA and/or CBTPA beneficiary country.

CBI membership was also affected by changing political arrangements between former possessions of the Netherlands. As a result, Curaçao and Sint Maarten, which had previously been eligible for CBERA and CBTPA benefits as part of the Netherlands Antilles, became eligible in their own rights. Bonaire, Saba, and Sint Eustatius became part of the Kingdom of the Netherlands and as such were no longer eligible for CBERA and CBTPA benefits. On December 23, 2013, Curaçao was included as an independent beneficiary to both CBERA and CBTPA. The United States is reviewing the request of Sint Maarten for designation as beneficiary country under CBERA and CBTPA.

### **Anti-Transshipment Provisions**

The CBTPA includes provisions intended to guard against the illegal transshipment of non-qualifying goods through CBI countries. CBTPA beneficiaries are required to implement and follow, or make substantial progress toward implementing and following, certain customs procedures based on those contained in Chapter 5 of the NAFTA in order to receive benefits. In particular, beneficiary countries must provide the USTR with commitments regarding, *inter alia*: use of appropriate certificate of origin documents; cooperation with U.S. Customs and Border Protection in conducting origin verification visits under certain conditions; implementation of legislation and/or regulations to ensure the enforcement of these customs procedures; imposition of appropriate penalties in cases of non-compliance; and regular updates on progress in implementing the customs requirements established under the CBTPA.

The CBTPA also provides that, if a CBI exporter is determined to have engaged in illegal shipment of textile or apparel products, the President shall deny all benefits under the CBTPA to that exporter for two years. In addition, where a beneficiary country has been requested by the United States to take action to prevent transshipment and the country has failed to do so, the President shall reduce the quantities of textile and apparel articles that may be imported into the United States from that beneficiary country by three times the quantity of articles transshipped.

### **Safeguard Provisions**

The President may suspend duty-free treatment under the CBI programs if temporary import relief is determined to be necessary due to serious injury to domestic producers. The CBI provides special rules governing emergency relief from imports of perishable agricultural products from beneficiary countries.

### **Rum Provisions**

An excise tax of \$13.50 per proof gallon is imposed under section 5001(a)(1) of the Internal Revenue Code of 1986 (the Code) on distilled spirits, including rum, produced in or imported into the United States. The CBERA requires that excise taxes (minus the estimated amount necessary for payment of refunds and drawbacks) on all rum imported into the United States, including rum from the CBERA countries, be transferred (covered over) to the Treasuries of Puerto Rico and the Virgin Islands (section 7562(e)(1) of the Code). Rum brought into the United States from Puerto Rico and the Virgin Islands is subject to the same rate of tax. Amounts collected are also covered over to those insular Treasuries (section 7652(a)(3) and (b)(3), respectively, of the Code) minus certain amounts necessary for refunds, duty drawback, or administrative expenses. For distilled spirits imported to the United States after June 30, 1999 and before January 1, 2014, the rate at which the amounts transferred are calculated is \$13.25 per proof gallon (section 7652(f) of the Code). Congress extended that rate for FY2015.

The CBERA provides that if the amounts transferred to Puerto Rico or the Virgin Islands are lower than the amount that would have been transferred if the imported rum had been produced in Puerto Rico or the Virgin Islands, the President shall consider compensation measures and may withdraw the duty-free treatment of rum produced in CBI countries. This provision—intended to provide a remedy should the amounts carried over to Puerto Rico and the Virgin Islands fall below such amounts transferred under prior law—has never been invoked.

## Tax Provisions

U.S. taxpayers can deduct legitimate business expenses incurred in attending a business meeting or convention in a qualifying CBERA beneficiary country, or Bermuda, without regard to the more stringent requirements usually applied to foreign convention expenses. To qualify, a CBERA beneficiary country must have a tax information exchange agreement in effect with the United States, and the tax laws in the CBERA beneficiary country may not discriminate against conventions held in the United States.

As of December 2015, the following countries have satisfied all of the requirements for benefiting from this provision: Antigua and Barbuda, Aruba, Bahamas, Barbados, Bermuda, Curacao, Dominica, Grenada, Guyana, Jamaica, St. Lucia, and Trinidad and Tobago.<sup>12</sup>

## Reports

In addition to this biennial USTR Report on the general operation of the CBERA and compliance with eligibility criteria, the CBERA requires the following reports.

***USITC Economic Effects Report:*** Section 215 of the CBERA requires the U.S. International Trade Commission (ITC) to report biennially to the Congress with an assessment of the actual and probable future effects of the CBERA on the U.S. economy generally, on U.S. consumers, and on U.S. industries. Since 2001, the ITC has also been required to address the economic impact of the CBI programs on beneficiary countries. The ITC submitted its 22nd report on the impact of the CBERA to the President and Congress in September 2015 (USITC Publication 4567). The ITC concluded that the overall effect of the CBERA on the U.S. economy and U.S. consumers continues to be negligible while the effect on beneficiary countries is small but positive in 2014. The ITC concluded that the probable future effect of CBERA on the United States will be minimal, as CBERA countries generally are small suppliers to the U.S. market.

***Worst Forms of Child Labor Report:*** The CBTPA requires the Secretary of Labor to prepare a report on CBERA beneficiary countries' progress toward implementation of their international commitments "to eliminate the worst forms of child labor." The most recent report was published on September 30, 2015.<sup>13</sup>

All CBERA beneficiary countries have ratified ILO Convention No. 182 on the Worst Forms of Child Labor. Also, many of the beneficiary countries studied in the 2015 report showed both ongoing efforts and new efforts with respect to governmental policies and programs to eliminate the worst forms of child labor. These efforts are described in the individual country reports in Chapter 3. The Department of Labor and other donors have also funded child labor elimination projects implemented by a variety of organizations, including the International Labor Organization-International Program on the Elimination of Child Labor (ILO-IPEC), in the Caribbean and Haiti to improve labor rights and working conditions in agriculture and to combat child labor in hazardous sectors such as agriculture, garbage collecting, and fireworks manufacturing, as well as to prevent the commercial sexual exploitation of children.

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<sup>12</sup> See IRS Revenue Ruling 2011-26 or any successor guidance.

<sup>13</sup> The complete report is available at <http://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/2014TDA.pdf>.

## **Meetings with Caribbean Basin Trade Ministers**

The CBTPA directs the President to convene a meeting with the trade ministers of Caribbean Basin countries in order to establish a schedule of regular meetings of the region's trade ministers and the USTR. As indicated in the CBTPA, the purpose of the meetings is to advance consultations between the United States and CBI countries concerning the possible initiation of advantageous trade agreements with the United States.

In May 2013, the Vice President met with Ministers from the region and signed a Trade and Investment Framework Agreement with the Caribbean Community and Common Market (CARICOM). USTR convened a Trade and Investment Committee meeting under the Trade and Investment Framework Agreement in October 2014. Additionally, in March 2012 and November 2013, the USTR met with a group of officials from CARICOM Member States and the CARICOM Secretariat to discuss a wide range of issues related to trade and investment in the region.

## **Other Provisions**

Under U.S. antidumping and countervailing duty laws, imports from two or more countries subject to investigation may be aggregated, or "cumulated," for the purpose of determining whether the unfair trade practice causes material injury to a U.S. industry. The 1990 amendments to the CBERA created an exception to this general cumulation rule for imports from CBI beneficiary countries. If imports from a CBI country are under investigation in an anti-dumping or countervailing duty case, imports from that country may not be aggregated with imports from non-CBI countries under investigation for purposes of determining whether the imports from the CBI country are causing, or threatening to cause, material injury to a U.S. industry. They may, however, be aggregated with imports from other CBI countries under investigation.

## U.S. Trade in Goods with CBI Countries

### U.S. Imports

Detailed information on U.S. imports from CBI countries is presented in Appendix 1 of this report.

At their peak in 2005, U.S. imports from CBI countries were \$32.0 billion. CBI countries combined constituted the 12<sup>th</sup> largest supplier of U.S. imports, ahead of Italy and just behind Venezuela. In 2014, CBI beneficiary countries supplied \$8.2 billion of U.S. imports, ranking 38th among U.S. import suppliers, ahead of Denmark and behind South Africa. In 2005, CBI beneficiary countries supplied nearly 2 percent of total imports into the United States, but the share decreased to 0.4 percent in 2014, following the exit of the CAFTA-DR beneficiaries, the Netherlands Antilles, and Panama from the CBERA program (see: Table 1).<sup>7</sup> In 2013, the value of U.S. merchandise imports from all CBI beneficiary countries totaled \$8.9 billion, a decrease of 24.8 percent over the previous year. In 2014, imports from CBI beneficiaries totaled \$8.2 billion, corresponding to a year-over-year decline of 7.7 percent. The decline in U.S. imports from CBI beneficiaries in both 2013 and 2014 was mostly due to a sharp decrease in U.S. imports of crude petroleum and refined petroleum products, reflecting falling U.S. consumption, coupled with increased U.S. production of crude petroleum. The shut down and maintenance of several refinery plants in Petrotrin may also have impacted imports.

Year	U.S. Total Exports to World <sup>2</sup>	U.S. Exports to CBI Countries		U.S. Total Imports from World <sup>3</sup>	U.S. Total Imports from CBI Countries	
	Million \$	Million \$	Percent of U.S. Total	Million \$	Million \$	Percent of U.S. Total
2010	1,122,567.2	17,581.2	1.6	1,900,586.7	9,862.9	0.5
2011	1,300,125.0	19,013.9	1.5	2,187,994.0	14,492.3	0.7
2012	1,352,210.9	19,307.1	1.4	2,251,772.7	11,891.8	0.5
2013	1,371,069.4	12,532.0	0.9	2,241,487.1	8,936.8	0.4
2014	1,399,368.9	12,846.6	0.9	2,316,214.0	8,249.1	0.4
Jan-Aug 2014	928,124.3	8,387.9	0.9	1,527,757.9	5,542.5	0.4
Jan-Aug 2015	866,360.6	7,831.1	0.9	1,479,567.3	4,817.1	0.3

<sup>1</sup> Values for U.S. trade with CBERA countries include individual country trade data only for those months in the period during which those countries were eligible for CBERA benefits.  
<sup>2</sup> Domestic exports, free alongside ship (F.A.S.) value.  
<sup>3</sup> Imports for consumption, customs value.

Source: Compiled from official statistics of the U.S. Department of Commerce (USDOC) (accessed October 26, 2015). Data reflects all official USDOC revisions for 2010–14 as of this date.

<sup>7</sup> Netherlands Antilles ceased to be a beneficiary when it was dissolved as a political entity in October 2010. Panama ceased to be a CBI beneficiary upon the entry into force of the United States-Panama Trade Promotion Agreement on October 31, 2012. Curaçao was designated a CBERA beneficiary effective January 1, 2014 and designated a CBTPA beneficiary on August 18, 2015. U. S. imports from CBI countries since 2010 reflect the exit and entry of these countries from the CBERA program (see Table 1).

U.S. imports entering under CBI tariff preferences declined for a third consecutive year to \$2.0 billion in 2014, down from \$2.4 billion in 2013 and \$3.1 billion in 2012 (see: Table 2). The decline in 2014, 16.9 percent, was preceded by a decrease of 24.5 percent in 2013. The drop in imports in 2013 and 2014 was partly due to many of the same factors described above, such as Panama graduating from the CBI program in October 2012 and a decline in U.S. imports of crude petroleum and methanol. The exit of Costa Rica from CBI in 2009 and Panama in 2012 shifted the product composition of U.S. imports under the CBI program, making the share of petroleum and other energy-related imports (mainly supplied by Trinidad and Tobago) more important. Of the \$2.0 billion in U.S. imports under CBI in 2014, energy products accounted for 62.0 percent;<sup>8</sup> textile and apparel (predominately apparel), 19.8 percent; other mining and manufacturing products, 10.7 percent; and agricultural products, 7.6 percent.

Import Program	2012	2013	2014	2014 Jan-Aug	2015 Jan-Aug	Change 2012- 2013	Change 2013- 2014	Change Jan-Aug
	Million \$					Percent		
<b>CBI Beneficiaries<sup>2</sup></b>								
CBI	3,137.4	2,369.1	1,967.9	1,413.3	1,143.0	-24.5	-16.9	-19.1
CBERA	1,504.0	1,517.3	1,383.8	976.5	742.1	0.9	-8.8	-24.0
CBTPA	1,633.4	851.8	584.1	436.8	400.9	-47.9	-31.4	-8.2
GSP	38.1	16.5	1.3	0.9	3.0	-56.6	-92.2	231.2
HOPE Acts	306.0	422.1	451.5	286.4	314.2	38.0	7.0	9.7
Otherwise duty-free	5,814.5	4,979.9	4,844.1	3,277.8	3,028.0	-14.4	-2.7	-7.6
Dutiable imports	2,595.8	1,149.1	984.3	564.0	328.9	-55.7	-14.3	-41.7
Total	11,891.8	8,936.8	8,249.1	5,542.5	4,817.1	-24.8	-7.7	-13.1

<sup>1</sup> Imports for consumption, customs value.  
<sup>2</sup> Values for U.S. trade with CBERA countries include individual country trade data only for those months in the period during which those countries were eligible for CBERA benefits. Curaçao was designated a CBERA beneficiary effective January 1, 2014 and designated a CBTPA beneficiary on August 18, 2015. Panama ceased to be a beneficiary upon entry into force of the United States-Panama Trade Promotion Agreement on October 31, 2012.

Source: Compiled from official statistics of the U.S. Department of Commerce (USDOC) (accessed October 26, 2015). Data reflect all official USDOC revisions for 2010–14 as of this date.

### **CBI Tariff Preferences: Top Sources of U.S. Imports**

Trinidad and Tobago has been the leading source of U.S. imports entering under CBI tariff preferences since 2005. The United States imported \$1.2 billion under CBI tariff preferences from Trinidad and Tobago in 2014, a decrease of 24.8 percent from 2013, and the lowest level in the last five years. Imports under CBI tariff preferences from Trinidad and Tobago in 2014 continue to be dominated by petroleum, petroleum-related products, and methanol, with about 59 percent of imports of these goods entering under CBI provisions. The decline in the value of U.S. imports of petroleum and petroleum-related products under CBI preferences in

<sup>8</sup> Energy related products include chapter 27 Mineral fuels, as well as methanol (HTS 2905.11.20), and fuel ethanol (HTS 2207.10.60 and HTS 2207.20.01).

2014 was due to both increased U.S. production of crude petroleum and declining oil prices; whereas imports of methanol decreased largely due to lower volume of production.

Haiti has been the second leading source of U.S. imports entering under CBI tariff preferences since 2009 when Costa Rica left the CBI. Apparel accounts for about 96 percent of U.S. imports from Haiti and almost all imports of apparel from Haiti enter under CBTPA or the HELP and the two HOPE Acts. In 2014, much of the continued growth in U.S. imports of apparel from Haiti is attributed to the HOPE/HELP preference programs, which for the second time surpassed apparel imports under CBI provisions. Imports of apparel from Haiti at preferential tariff rates rose 5.5 percent in 2012 and 9.2 percent in 2014 as the utilization of preferences under the HOPE Acts increased.

The Bahamas replaced Jamaica as the third leading source of U.S. imports entering under CBI tariff preferences in 2014. The Bahamas' share of CBI imports has continued to increase in 2013 and 2014, due principally to the increase of U.S. imports of polystyrene. Total imports from The Bahamas under CBI tariff preferences in 2013 increased by 8.5 percent and by 11.7 percent in 2014. By contrast, Jamaica's exports of fuel ethanol have decreased due to developments in global sugar markets and reduced supplies of the feedstock used by CBI dehydrators from Brazil. As a result, there were no U.S. imports of fuel ethanol from CBI countries, including Jamaica, in 2014.

The United States continues to have a small amount of bilateral (non-CBI) trade with many of the Caribbean economies. While the overall value of imports is small, imports under CBI tariff preferences accounted for relatively significant proportions of total U.S. imports from several of these countries. In 2014, Imports under CBERA as a share of total U.S. imports from each country ranged from nearly zero percent (Aruba, Curaçao, and Montserrat) to as high as 62.5 percent (Belize). In addition to petroleum and other energy-related products, and apparel, products such as electrical equipment (St. Kitts and Nevis); orange juice (Belize); pineapples, guavas and mangos (Haiti); and papayas (Belize), were imported under CBI tariff preferences from the smaller Caribbean economies.

## **U.S. Exports**

U.S. export growth to the region has been a corollary benefit of the CBI, which was initially envisioned as a program to facilitate the economic development and export diversification of the Caribbean Basin economies. In 2014, the value of total U.S. exports to CBI countries rose 2.5 percent from the previous year to \$12.8 billion. In 2013, U.S. exports reached \$12.5 billion, a 35.1 percent decrease year-over-year due to Panama's exit from the CBI program, when the U.S.-Panama TPA entered into force on October 31, 2012 (see Table 3). Collectively, the CBI region ranked 23rd among U.S. export destinations in 2014 and absorbed 0.9 percent of total U.S. exports to the world in both 2013 and 2014.

The leading markets for U.S. exports to the CBI region in 2014 were The Bahamas, Trinidad and Tobago, Jamaica, Aruba, and Haiti. These five countries accounted for over 76 percent of U.S. exports to the CBI region in 2014. The United States exports a broad range of products to the CBI region. In 2014, the leading export categories included refined petroleum products,

rice, chicken cuts, wheat, aircraft, and corn.

<b>Table 3: U.S. Exports to CBI Countries, 2010-2014 and January-August of 2014 and 2015, Million \$<sup>1</sup></b>							
Country	2010	2011	2012	2013	2014	2014 Jan-Aug	2015 Jan-Aug
<b>January 1, 2014 Beneficiaries</b>							
Antigua Barbuda	134.3	141.4	191.8	125.8	173.0	90.8	540.3
Aruba	500.2	659.2	644.8	1,022.9	1,258.0	855.7	795.0
Bahamas	3,114.5	3,371.2	3,415.9	3,370.7	3,163.3	2,204.9	1,513.6
Barbados	353.6	390.3	415.3	398.1	432.3	272.3	321.7
Belize	280.0	342.6	251.3	227.1	224.3	144.8	174.2
British Virgin Islands	134.5	139.4	160.2	202.8	194.8	125.0	107.8
Curaçao	0.0	315.5	532.9	654.6	603.1	349.3	349.0
Dominica	68.2	69.9	75.5	74.1	57.1	37.8	45.0
Grenada	65.6	73.6	67.5	89.4	76.6	51.0	56.1
Guyana	280.0	346.3	340.0	300.2	334.7	220.3	213.5
Haiti	1,174.1	1,030.5	1,028.7	1,202.4	1,175.9	740.7	757.5
Jamaica	1,559.8	1,808.8	1,860.3	1,862.3	2,034.5	1,341.1	1,079.6
Montserrat	4.3	6.3	8.0	8.2	8.5	5.7	4.1
St Kitts-Nevis	121.4	105.5	97.2	124.5	163.0	95.0	82.9
St Lucia	389.1	299.2	362.1	579.5	670.5	385.0	327.8
St Vincent and the Grenadines	81.8	76.8	94.1	88.6	98.0	60.7	51.5
Trinidad and Tobago	1,790.9	2,036.9	2,296.9	2,200.7	2,178.7	1,407.8	1,411.6
Total	10,052.0	11,213.3	11,842.4	12,532.0	12,846.6	8,387.9	7,831.1
<b>Former Beneficiaries<sup>2</sup></b>							
Netherlands Antilles	1,827.0	0.0	0.0	0.0	0.0	0.0	0.0
Panama	5,702.2	7,800.5	7,464.7	0.0	0.0	0.0	0.0
Total	7,529.2	7,800.5	7,464.7	0.0	0.0	0.0	0.0
<b>Grand Total</b>	<b>17,581.2</b>	<b>19,013.9</b>	<b>19,307.1</b>	<b>12,532.0</b>	<b>12,846.6</b>	<b>8,387.9</b>	<b>7,831.1</b>
<p><sup>1</sup> Domestic exports, free alongside ship (F.A.S.) value.</p> <p><sup>2</sup> Values for U.S. trade with CBERA countries include individual country trade data only for those months in the period during which those countries were eligible for CBERA benefits. Curaçao was designated a CBERA beneficiary effective January 1, 2014 and designated a CBTPA beneficiary on August 18, 2015. The term “former beneficiaries” in this table refers to: the Netherlands Antilles, which was dissolved as a political entity on October 10, 2010; and Panama, which ceased to be a beneficiary upon entry into force of the United States-Panama Trade Promotion Agreement on October 31, 2012.</p> <p>Source: Compiled from official statistics of the U.S. Department of Commerce (USDOC) (accessed October 26, 2015). Data reflect all official USDOC revisions for 2010–14 as of this date.</p>							

## Eligibility Criteria

The trade preferences made available under CBI represent a unilateral, non-reciprocal grant of benefits to U.S. trading partners in Central America and the Caribbean. In enacting the CBERA and CBTPA, as well as the HOPE and HELP Acts, the Congress established eligibility criteria for the receipt of these trade preferences. This section reviews the CBERA and CBTPA eligibility criteria, as well as the recent performance of CBI beneficiary countries in meeting these criteria.

The eligibility criteria for the CBI programs fall within three broad categories:

- “mandatory” factors defined in Title II, Section 212 of CBERA as precluding the President from initially designating a country or dependent territory as a CBERA beneficiary;<sup>14</sup>
- additional, discretionary factors also defined in Title II, Section 212 of CBERA, which the President is required to take into account in determining whether to designate countries or dependent territories as beneficiaries under the CBERA<sup>15</sup>; and
- further criteria, outlined in the CBTPA, which the President is required to take into account in designating beneficiary countries or dependent territories for purposes of receiving the enhanced trade preferences of the CBTPA.<sup>16</sup>

### CBERA “Mandatory” Criteria

**Communist Country:** A country or dependent territory cannot be designated as a CBERA beneficiary country “if such country is a Communist country.”<sup>17</sup> No Communist country has requested designation, and none of the current CBI countries is a Communist country.

**Nationalization/Expropriation:** The CBERA stipulates that countries that have expropriated or nationalized property of U.S. citizens are ineligible for CBI benefits, unless the President determines that the country is taking steps to resolve the citizen’s claim.<sup>18</sup> The United States is currently exploring questions that have been raised with respect to certain beneficiaries, as described in the country reports that follow. At this time, the Administration has not determined that any countries have breached this criteria.

**Arbitral Awards:** If a country or dependent territory fails to act in good faith in recognizing as binding or enforcing arbitral awards in favor of U.S. citizens or corporations owned by U.S. citizens, such country or dependent territory cannot be designated as a CBERA beneficiary.<sup>19</sup> The United States is currently exploring questions that have been raised with respect to certain beneficiaries, as described in the country reports that follow. At this time, the Administration has not determined that any countries have breached this criteria.

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<sup>14</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b), 97 Stat. 385 (1983).

<sup>15</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c), 97 Stat. 386 (1983).

<sup>16</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § Sec 211(b)(5)(B), 114 Stat. 284 (2000).

<sup>17</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(1), 97 Stat. 385 (1983).

<sup>18</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(2), 97 Stat. 385-86 (1983).

<sup>19</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(3), 97 Stat. 386 (1983).

***Reverse Preferences:*** If a country affords preferential treatment to the products of a developed country other than the United States that has or is likely to have a significant adverse effect on U.S. commerce, it is ineligible for designation as a CBERA beneficiary.<sup>20</sup>

Since 2007, the European Commission has had an Economic Partnership Agreement (EPA) with Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, the Dominican Republic, Grenada, Jamaica, Saint Lucia, Saint Vincent and the Grenadines, Saint Kitts and Nevis, Suriname, and Trinidad and Tobago (the CARIFORUM countries). Guyana and Haiti joined the agreement in 2008 and 2009 respectively.

In 2014, total U.S. trade (exports plus imports) with CBERA countries was 0.6 percent of total U.S. trade with the world. CBERA countries accounted for 0.9 percent of total U.S. exports and 0.4 percent of total U.S. imports in 2014. Although the CBERA countries account for a relatively small share of U.S. exports, the Administration will continue to monitor trade flows and evaluate the effects of the EPA on U.S. commerce. At this time, the Administration has not determined that the EPA has or is likely to have a significant adverse effect on U.S. commerce.

***Expropriation of Intellectual Property:*** The CBERA excludes from designation any countries that allow the broadcast of copyrighted material, including films or television material belonging to United States copyright owners without their express consent.<sup>21</sup>

***Extradition:*** The CBERA requires that a country be a signatory to a treaty, convention, protocol, or other agreement regarding the extradition of U.S. citizens.<sup>22</sup>

***Worker Rights:*** The CBERA excludes from designation any country which “has not or is not taking steps to afford internationally recognized worker rights...to workers in the country.” The President is also authorized to consider whether a country has taken or is taking steps to afford workers internationally recognized worker rights.<sup>23</sup> These factors were modified and broadened in the context of country designation criteria under the CBTPA (see below).

### **CBERA “Discretionary” Factors**

***Desire to Be Designated:*** The CBERA authorizes the President, in designating beneficiary countries, to take into account an expression of a country’s desire to be so designated.<sup>24</sup>

***Economic Conditions:*** As part of the initial designation of CBERA beneficiaries, the President is authorized to consider economic conditions and living standards in potential CBI countries.<sup>25</sup> More than 30 years since the enactment of CBERA, the United States maintains a strong interest in conditions of economic development in the Caribbean and Central American countries. The country reports contained in this chapter briefly review current conditions in CBI beneficiary

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<sup>20</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(4), 97 Stat. 386 (1983).

<sup>21</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(5), 97 Stat. 386 (1983).

<sup>22</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(7), 97 Stat. 386 (1983).

<sup>23</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(8), 97 Stat. 387 (1983).

<sup>24</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(1), 97 Stat. 386 (1983).

<sup>25</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(2), 97 Stat. 386 (1983).

countries.

**Market Access/WTO Rules:** The CBERA authorizes the President to consider the extent to which a country has assured the United States that it will provide equitable and reasonable access to the markets and basic commodity resources of the country and the degree to which the country follows the international trade rules of the WTO.<sup>26</sup> The eligibility criteria of the CBTPA elaborate on these factors, with a focus on implementation of WTO commitments and participation in negotiations to create a Free Trade Area of the Americas. These factors are examined in the country reports which follow.

**Use of Export Subsidies:** CBERA authorizes the President to consider “the degree to which a [beneficiary country] uses export subsidies or imposes export performance requirements or local content requirements which distort international trade.”<sup>27</sup>

**Contribution to Regional Revitalization:** CBERA authorizes the President to consider the degree to which the trade policies of an individual CBI country contribute to the revitalization of the region as a whole.<sup>28</sup> Countries in the Caribbean Basin have continued, for the most part, to implement policies that have advanced regional economic development and growth. With few exceptions, countries have continued to reform their economies and liberalize trade and investment regimes.

**Self-Help Measures:** CBERA’s eligibility criteria seeks assurances that countries in the region are taking steps to advance their own economic development.<sup>29</sup> With varying degrees of success, all current CBI countries appear to be pursuing policies intended to improve the economic prospects of their citizens.

**Intellectual Property/Broadcast Copyright Violations:** CBERA authorizes the President to take into account the extent to which a country provides adequate and effective legal means for foreign nationals to secure, exercise, and enforce exclusive intellectual property rights, and the extent to which a country prohibits its nationals from broadcasting U.S. copyrighted materials, including film and television material, without their express consent.<sup>30</sup>

**Cooperation in Administration of the CBERA:** CBERA’s eligibility criteria included that CBERA beneficiaries cooperate in the administration of CBI preferences when requested by the U.S. government.<sup>31</sup> The CBERA beneficiaries have done so.

## **CBTPA Eligibility Criteria**

In considering the eligibility of the CBI countries and dependent territories that have expressed an interest in receiving the enhanced preferences of the CBTPA, the President is required to take into account the existing eligibility criteria of the CBERA, as well as several additional or

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<sup>26</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(3)-(4), 97 Stat. 386-87 (1983).

<sup>27</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(5), 97 Stat. 387 (1983).

<sup>28</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(6), 97 Stat. 387 (1983).

<sup>29</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(7), 97 Stat. 387 (1983).

<sup>30</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(9)-(10), 97 Stat. 387 (1983).

<sup>31</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(11), 97 Stat. 387 (1983).

revised criteria elaborated in the CBTPA. These additional criteria are:

- whether the beneficiary country has demonstrated a commitment to undertake its obligations to the WTO on or ahead of schedule and participate in the negotiations toward the completion of a free trade agreement and the Free Trade Area of the Americas;<sup>32</sup>
- the extent to which the country provides protection of intellectual property rights consistent with or greater than the protection afforded under the TRIPS Agreement;<sup>33</sup>
- the extent to which the country provides internationally recognized worker rights, including:
  - the right of association;
  - the right to organize and bargain collectively;
  - a prohibition on the use of any form of forced or compulsory labor;
  - a minimum age for the employment of children; and
  - acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health;<sup>34</sup>
- whether the country has implemented its commitments<sup>35</sup> to eliminate the worst forms of child labor;<sup>36</sup>
- the extent to which the country has met U.S. counternarcotics certification criteria<sup>37</sup> under the Foreign Assistance Act of 1961;<sup>38</sup>
- the extent to which the country has taken steps to become a party to and implement the Inter-American Convention Against Corruption (IACAC);<sup>39</sup> and
- the extent to which the country applies transparent, nondiscriminatory and competitive procedures in government procurement and contributes to efforts in international fora to develop and implement rules on transparency in government procurement.<sup>40</sup>

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<sup>32</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § Sec 211(b)(5)(B)(i), 114 Stat. 284 (2000).

<sup>33</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(ii), 114 Stat. 284 (2000).

<sup>34</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(iii), 114 Stat. 284-85 (2000).

<sup>35</sup> These commitments are defined in 29 U.S.C. 2467(6).

<sup>36</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(iv), 114 Stat. 285 (2000).

<sup>37</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(v), 114 Stat. 285 (2000).

<sup>38</sup> The Narcotics Certification Process was modified as a result of the Foreign Relations Authorization Act, FY 2003 (FRAA), signed into law on September 30, 2002. As a result, the President has the option of submitting a consolidated report identifying all major illicit drug-producing and drug-transit countries and designating those countries that have failed to comply with specified criteria. The President also retains the option to use the previous system involving an affirmative certification of cooperation.

<sup>39</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(vi), 114 Stat. 285 (2000).

<sup>40</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(vi), 114 Stat. 285 (2000).

## **Country Reports: Compliance with Eligibility Criteria**

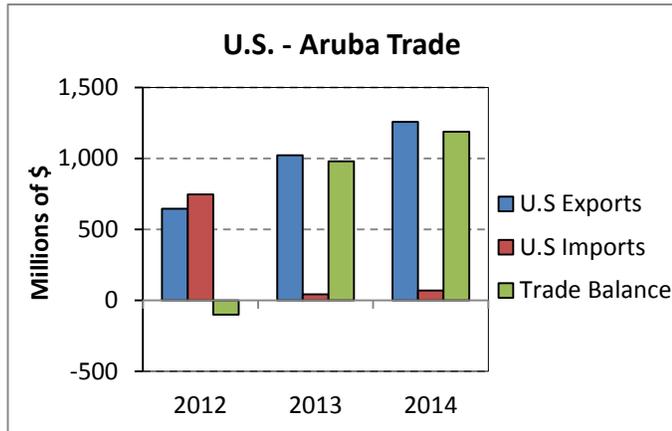
The country reports contained in this section focus particular attention on current performance of CBI beneficiary countries with respect to the eligibility criteria reflected in the CBTPA, as CBTPA is the most recent expression of U.S. policy objectives linked to the extension of CBI benefits. The pre-existing eligibility criteria of the CBERA are also reflected in the country reports, where relevant. Unless otherwise noted, population and per capita gross domestic product (GDP) figures are drawn from *The World Factbook* (Central Intelligence Agency, 2014) ("*CIA World Factbook*"). GDP per capita is GDP on a purchasing power parity basis divided by population as of July 1 of the reported year. Trade data are cited in U.S. dollars (customs basis) and are compiled from official statistics of the U.S. Department of Commerce.

## Aruba

Population: 112,162  
 (July 2015 est.)  
 Per Capita GDP: \$25,300 (2011 est.)

*Department of Commerce 2014  
 Trade Statistics*

U.S Exports	\$1,258,032,089
U.S Imports	\$70,284,686
Trade Balance	\$1,187,747,403



*Economic Review:* Aruba is a small, open economy with one of the highest standards of living in the Caribbean. Free enterprise and competition are encouraged in Aruba, and there is a clear distinction between the public and private sectors. The Aruban economy has begun to rebound from a harsh, double-dip recession that was triggered by the global financial crisis and the closing of the Valero oil refinery in 2012. Aruba’s real GDP increased by 1.2 percent in 2014 and real GDP grew by 0.9 percent per year between 2010 and 2014, bolstered largely by tourism.

Over 85 percent of the economy depends on tourism, followed by international trade and finance, making Aruba the third-most tourism dependent country in the world. Moreover, much of that tourism depends on the United States, as seventy-five percent of the 1.5 million tourists per year come from the United States. According to the International Monetary Fund (IMF), the closing of the Valero oil refinery in 2012 exacerbated Aruba’s dependence on tourism. Such heavy reliance on external economic conditions has contributed to economic growth volatility, which has been among the highest in the region.

In 2014, public debt increased substantially, rising to more than 80 percent of GDP, well above what is considered healthy for a small economy that is highly vulnerable to external shocks. However, Aruba’s fixed exchange rate regime against the U.S. dollar and prudent fiscal policies have ensured low inflation and kept imbalances under control. Deficit spending remains a staple in Aruba’s fiscal policy, and inflation has averaged 0.9 percent per year between 2010 and 2014 according to the Government of Aruba’s Central Bureau of Statistics.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* Aruba is an autonomous member of the Kingdom of the Netherlands and is a member of the WTO through the Kingdom of the Netherlands, but does not exercise independent voting rights at the WTO. At the end of 1998, Aruba completed informal accession discussions with the United States and Canada but has not since finalized its WTO accession process. Aruba joined the WTO Agreement on Government Procurement (GPA) on July 4, 2014.

*Protection of Intellectual Property:* Aruba’s Bureau of Intellectual Property has registered

trademarks, copyrights, and patents since 1995. Aruba is a party to the Paris Convention for the Protection of Industrial Property, to other treaties related to patent, such as the Patent Cooperation Treaty, and to the Berne Convention for the Protection of Literary and Artistic Works. Aruba is a contracting party of the Nice Agreement, and in 2007, Aruba also became a contracting party of the Vienna Agreement. Aruba has a draft Industrial Design Act aimed at protecting industrial designs. Artistic works are protected by Aruba's Copyright Act and the Berne Convention.

*Provision of Internationally Recognized Worker Rights:* Aruba's laws contain protections for worker rights. Employees are free to associate with workers' organizations and trade unions. The statutory limit on working hours is 8.5 hours per day or 48 hours per week. Each employee is legally entitled to paid holidays of at least 15 workdays per year. Statutory minimum wages are in force for workers above the age of 18: \$914.35 per month for businesses and, \$426.56 per month for household personnel live-ins. On behalf of Aruba, the Kingdom of Netherlands ratified the ILO Convention concerning Minimum Age for Admission to Employment in 1986. In accordance with the Convention, the minimum working age in Aruba is 15 years old.

Aruba also provides other protections for worker rights. The Department for Technical Inspections serves to ensure safe working conditions for employees in the workplace. The Accident Insurance Ordinance provides financial compensation to employees who have suffered an accident at work. Under this ordinance, every employee, regardless of income, must be insured by his or her employer against workplace accidents. If the employee dies as a result of the accident, his or her surviving dependents are entitled to financial compensation.

*Commitments to Eliminate the Worst Forms of Child Labor:* The Kingdom of the Netherlands is responsible for safeguarding fundamental human rights and freedoms in its territories, including in Aruba. Child labor is prohibited.

*Counternarcotics Cooperation:* Aruba has not been named by the President as a major drug transit or major illicit drug producing country under the Foreign Relations Authorization Act. The Aruban police force, Korps Politie Aruba, regularly conducts operations and cooperates with U.S. law enforcement agencies to counter the flow of illicit drugs in the Caribbean to Europe and the United States. Aruba supports a U.S. Air Force (USAF) Forward Operating Location at Reina Beatrix International Airport. Under an agreement, signed in 2000 and extended through 2016, U.S. military aircraft conduct counternarcotics detection and monitoring flights over both the source and transit zones from commercial ramp space. Aruba also hosts Department of Homeland Security and U.S. Customs and Border Protection personnel at Reina Beatrix International Airport, in facilities financed and built by the Government of Aruba. Aruba, through the Netherlands, is a party to the 1961 UN Single Convention on Narcotic Drugs and the UN Convention Against Transnational Organized Crime.

*Implementation of the Inter-American Convention Against Corruption:* Aruba is not a signatory of the IACAC. Aruban laws provide criminal penalties for official corruption. Although there have been isolated reports of government corruption in recent years, Aruba pursues an active anticorruption policy in coordination with the Kingdom of the Netherlands. There are no laws requiring financial disclosure; each government agency has its own regulations to avoid conflicts of interest.

*Transparency in Government Procurement:* Aruba is a member of the GPA. Aruba submitted an offer in 2008 to GPA members, which was discussed in 2010 during GPA negotiations. In 2011, Aruba agreed to amend the offer. Aruba successfully concluded its GPA negotiations in December 2011.

*Nationalization/Expropriation:* The Aruban government does not nationalize properties of any kind. The Aruban government does not expropriate property, except to resolve debts.

*Extradition:* Aruba is party to the extradition treaty between the Kingdom of the Netherlands and the United States signed in 1980. Aruba and the United States cooperate on extradition matters.

*Market Access/WTO Rules:* All products from any country that comply with import regulations and health standards are allowed for import. This policy is non-discriminatory and has existed for decades.

*Export Subsidies:* The Government of Aruba does not offer export subsidies or impose trade-distorting export performance or local content requirements.

*Contribution to Regional Revitalization:* Aruba trades with regional partners for a broad spectrum of merchandise. Open trade policies stimulate trade within and outside the region.

*Self-Help Measures:* Aruba has demonstrated that it is taking steps to advance its own economic development. The Government of Aruba promotes entrepreneurship and small business activity by means of conferences and specific workshops geared towards increasing business knowledge and business tools. The government opened an Initiative for the Development of Aruba Enterprises (IDEA) office in 2012, working closely with the Florida Small Business Development Center to provide guidance and assistance to entrepreneurs and small businesses. A separate office called the Aruba Investment Agency (ARINA) opened in 2012, also aims to promote investment. The Government of Aruba and the public utility company work together to promote energy efficiency and investments in renewable energy sources, including wind and solar. In September 2015, the government signed a Memorandum of Understanding with Venezuelan state-owned Petróleos de Venezuela, S.A.'s U.S. subsidiary Citgo Petroleum to actively explore the re-opening of the idled oil refinery which is currently being used as an oil bunkering facility.

## The Bahamas

Population: 324,597

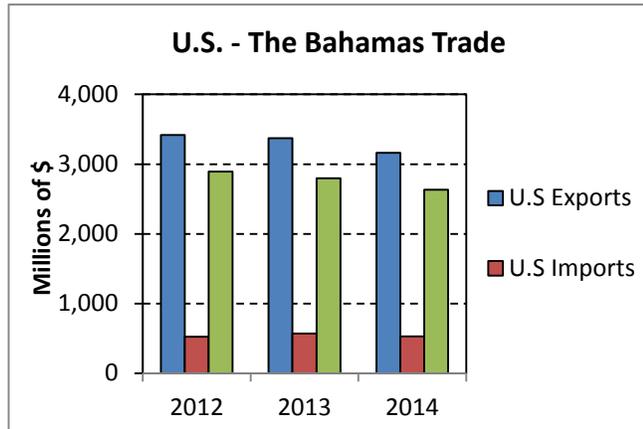
(July 2015 est.)

Per Capita GDP: \$25,000 (2014 est.)

*Department of Commerce 2014*

*Trade Statistics*

U.S Exports	\$3,163,335,916
U.S Imports	\$530,719,274
Trade Balance	\$2,632,616,642



*Economic Review:* General economic conditions in The Bahamas remain stable, despite receiving credit rating downgrades in 2014. The country is challenged with a growing public debt, a continuing increase in government expenditure, and a narrow revenue base. However, the growing strength of the U.S. economy will likely boost The Bahamas' economic prospects, providing cautious optimism for the medium term. In January 2015, the Government of The Bahamas implemented a 7.5 percent value-added tax.

The Bahamas is an import- and services-based economy. Tourism, together with tourism-driven construction, accounts for approximately 60 percent of the country's GDP. Wholesale trade, retail trade, restaurants, and hotels collectively contribute another 21.0 percent of the country's GDP. According to the IMF, projected real output growth is 1.2 percent in 2015 and 2.2 percent in 2016. There are some expectations that large scale investments in the tourism sector will continue to drive growth.

Unemployment remains high, exceeding 12 percent nationwide. A November 2014 national labor force survey indicated unemployment increased from 14.3 percent in May to 15.7 percent in November. The island of Grand Bahamas experienced unemployment of 18.6 percent and the island of New Providence had unemployment of 16.0 percent.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* The Bahamas applied for accession to the WTO in 2001 and is in negotiations towards full membership. The Bahamas has made some progress in the WTO accession process since its Working Party was established in 2001. In 2008, The Bahamas became signatory to its first negotiated reciprocal trade agreement, the Economic Partnership Agreement (EPA), and in June 2013 created an implementation unit within the Ministry of Trade. In preparation for WTO membership, The Bahamas introduced omnibus legislation in 2013 to address many deficiencies within its trade regime. In June 2015, The Bahamas opened a Permanent Mission to the United Nations Offices and Other International Organizations in Geneva, in part to assist with WTO accession.

*Protection of Intellectual Property:* WTO accession efforts, coupled with the implementation of the EPA, have aided The Bahamas' effort to modernize its intellectual property laws. The Bahamas has drafted eight separate, pending legislative bills related to intellectual property rights. These include a proposal to establish a national intellectual property office and to restructure the current administration of intellectual property. As written, the proposed legislation would afford protection of intellectual property that exceeds the requirements of TRIPS.

U.S. trade industry groups have expressed concerns that commercial radio stations in The Bahamas may broadcast copyrighted music without the payment of royalties. The Government of the Bahamas is a shareholder in, and has issued a license to, a company which was engaged in a dispute related to the broadcast of copyrighted material belonging to U.S. copyright holders. The matter was settled out of court.

*Provision of Internationally Recognized Workers Rights:* The Bahamas has taken steps to incorporate internationally recognized workers rights, including by becoming a signatory to ILO conventions related to the rights of association and collective bargaining, and enacting legislation prohibiting the use of compulsory and child labor. The Bahamian Fair Labor Standards Act (FLSA) requires at least one 24-hour rest period per week, paid annual vacations, and employer contributions to National Insurance, the Bahamas' social security program. The FLSA also requires overtime pay (time-and-a-half) for hours in excess of 40 hours or on public holidays. A 1988 law provides for maternity leave and the right to re-employment after childbirth. A Minimum Labor Standards Act including the Employment Act, Health and Safety at Work Act, Industrial Tribunal and Trade Disputes Act, and the Trade Union and Labor Relations Act was passed in 2001 and 2002. The Minimum Wage Act, effective August 15, 2015, increased the minimum wage to \$210/week, or \$42/day, or \$5.25/hour.

In The Bahamas, young persons between ages 14 and 18 may work outside of school hours under the following conditions: in a school day, for not more than three hours; in a school week, for not more than 24 hours; in a non-school day, for not more than eight hours; in a non-school week, for not more than 40 hours. The law prohibits persons younger than 18 years of age from engaging in industrial work except under certain circumstances. Occupational health and safety restrictions apply to all workers. The penalty for violations of the child labor law is a fine between B\$1000 and B\$1500 (approximately \$1500).

*Commitments to Eliminate the Worst Forms of Child Labor:* Some children in The Bahamas have become victims of child labor, particularly among the undocumented migrant communities. The Bahamas, however, has made steps to try and address incidences of child labor. The Ministry of Labor and National Insurance has a program to investigate and address allegations of abuse of child labor. Additionally, labor officers are periodically sent to food stores and various places to ensure that children are not being abused and that the laws governing child labor are not being violated. A number of civic organizations and churches have programs in place to provide meaningful activities to protect children from abusive labor situations. However, these programs are somewhat limited.

*Counternarcotics Cooperation:* The Bahamas cooperates extensively with the United States on counternarcotics and law enforcement issues and continues to meet certification criteria under the

Foreign Assistance Act of 1961. The Bahamas participates in Operation Bahamas, Turks and Caicos (OPBAT) to stop the flow of illegal drugs through its territory. The Bahamas is a party to the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. The Bahamas partners with the other nations of the Caribbean and the United States under the auspices of the Caribbean Basin Security Initiative (CBSI), a multi-year U.S. assistance program that focuses on supporting citizen safety programs and regional security institutions.

*Implementation of the Inter-American Convention Against Corruption:* The Bahamas signed the IACAC in 1998, ratified the IACAC in 2000, and has been a party to the mechanism for follow up on the Implementation on the IACAC since 2001.

*Transparency in Government Procurement:* Transparency International's 2014 Corruption Perception Index ranks The Bahamas as the 24th least corrupt country out of 174 countries surveyed. However, there are limited regulations for procurement and the procurement process generally lacks transparency. There is no legal requirement to engage in open public tenders, and award decisions are not subject to challenge or review.

*Nationalization/Expropriation:* Property rights are protected under Article 27 of the Bahamian Constitution and prohibit the deprivation of property without prompt and adequate compensation. The country is a member of the International Center for the Settlement of Investment Disputes and the Multilateral Investment Guarantee Agency. The Bahamas signed the 1958 New York Convention on the recognition and enforcement of foreign arbitral awards in 2007. There have been no reports of the government nationalizing or expropriating the property of U.S citizens.

There is currently a pending lawsuit involving Northshore Mainland Services Inc., (Northshore) and its Bahamian parent corporation, Baha Mar Ltd, (Baha Mar), regarding a project under construction in Nassau. The case began due to disputes between Northshore/Baha Mar and the contractor, China Construction America, over construction delays and a completion guarantee for the construction of the Baha Mar resort project. Baha Mar filed for Chapter 11 bankruptcy on June 29, 2015, with the U.S. Bankruptcy Court in Delaware and initiated a suit against the contractor company's parent, China State Engineering Corporation the next day in the U.K. High Court in London on the guarantee. A subsequent filing by Baha Mar requesting that The Bahamas Supreme Court recognize the Delaware Bankruptcy Court's ruling was denied by the Bahamian court but is subject to appeal. The Bahamian government then filed a petition with The Bahamas Supreme Court, which approved the government's recommendation to wind up the affairs of the project by placing the project into provisional liquidation under Bahamian law. Northshore and Baha Mar have claimed in public statements that the government's winding up petition is tantamount to an expropriation of private property, an allegation that the Bahamian government vehemently denies.

*Preferential Treatment:* The Bahamas does not afford preferential treatment to imports from third countries other than the United States, and its current trade regime does not make a distinction based on rules of origin.

*Extradition:* The Government of The Bahamas has ratified the 1987 Treaty on Mutual Legal Assistance in Criminal Matters and the 1990 Extradition Treaty with the United States. The

Bahamas and the United States cooperate closely on extradition matters.

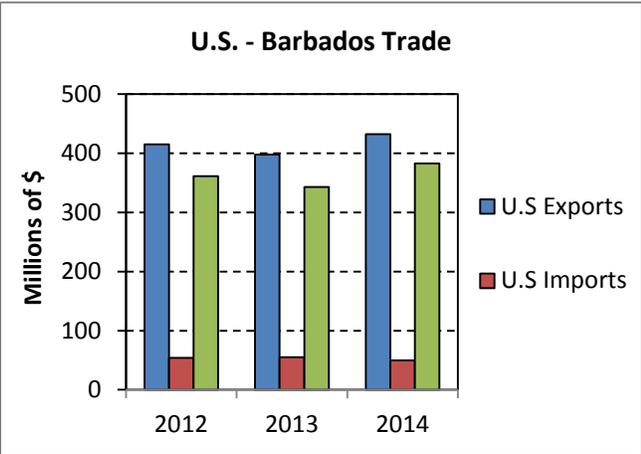
*Export Subsidies:* The Bahamas does not offer export subsidies, utilize trade distorting export performance, or maintain a local content requirement.

**Barbados**

Population: 290,604  
 (July 2015 est.)  
 Per Capita GDP: \$16,200 (2014 est.)

*Department of Commerce 2014 Trade Statistics*

U.S Exports	\$432,311,069
U.S Imports	\$49,710,170
Trade Balance	\$382,600,899



*Economic Review:* Barbados’ GDP was estimated at \$4.28 billion in 2013, and the country’s economy historically has been one of the more resilient in the region. However, Barbados still has yet to recover from the effects of the global economic recession. The economy contracted in 2014, with real growth calculated at 0.2 percent, and Barbados received a series of credit rating downgrades between 2013 and 2014. Barbados’ economy has shown some signs of improvement over the last twelve months. According to the Central Bank of Barbados, Barbados’ economy is expected to grow by 2 percent in 2015. An increase in tourist arrivals and the decreased market price of oil has given the Barbadian economy an opportunity to rebound. The services sector continues to hold the largest potential for investment growth, particularly in tourism and renewable energy services.

*Commitment to undertake WTO obligations and participate in negotiations toward the FTAA or another FTA:* Barbados joined the WTO in 1995. Barbados’ tariffs are bound at a high rate, similar to many other Caribbean countries. In WTO negotiations, Barbados is a vocal advocate of special and differential treatment for small-island developing states. Barbados has generally demonstrated a commitment to fulfill its WTO obligations on schedule.

*Protection of Intellectual Property:* Barbados’ intellectual property rights (IPR) legislation was amended in 2006 to make it more compatible with the provisions of the TRIPS Agreement. However, enforcement of intellectual property laws has been problematic. There is anecdotal evidence that Barbadian shops openly sell and rent pirated CDs, videos, and DVDs. USTR has placed Barbados on the Watch List of the Special 301 Report since 2013 for its failure to ensure that cable operators and broadcasters pay for the public performance of U.S. copyrighted content.

*Provision of Internationally Recognized Worker Rights:* Barbados has ratified all eight of the ILO core labor conventions. In Barbados, workers exercise the legal right to form and belong to trade unions, as well as to organize and bargain collectively. Five negotiated protocols contain provisions for increases in basic wages and increases based on productivity. Government, private sector, and labor representatives signed a sixth protocol on May 11, 2011 entitled, Barbados’

Social Partnership Agreement. This protocol provides for monthly meetings of labor, management, and government and is chaired by the Prime Minister or the Minister of Labor. Under Barbados' Trade Union Act, companies are not obligated to recognize unions or to accept collective bargaining. Most have done so when a significant percentage of their employees expressed a desire to be represented by a registered union.

Barbados' Shop Keepers Act provides for minimum wage rates for specified categories of workers. The categories of workers with a formally regulated minimum wage are household domestics and shop assistants. The minimum wage for these employees is BBD 5 (approximately \$2.50) per hour, which is only marginally sufficient to provide a decent standard of living for a worker and family. The Ministry of Labor recommended companies use this as the de facto minimum wage, and the prevailing wage on the island is higher than the legal minimum wage.

Barbados' Employment Rights Act of 2012 established the right of workers to consultation before being laid off, the right to priority re-hiring in certain cases, and the right not to be unfairly dismissed. The Employment Act sets the minimum employment age at 16 for certain sectors including mining, quarry work, manufacturing, construction, and demolition work. Other sectors, notably agriculture, are not covered. The Employment Act also prohibits children under the age of 18 from engaging in any work likely to harm their safety, health, or morals. However, the Act does not specify the types of work to which this prohibition refers.

The Child Labor Committee coordinates efforts to abolish child labor in the country. However, it has been reported that the Child Labor Committee has not been active for several years due to a reported absence of child labor cases. Child labor subcommittees support interagency cooperation on harmonizing legislation and implementing an educational and mass media program on child labor. The Ministry of Labor is responsible for enforcing child labor laws. It has 16 inspectors to investigate possible violations of the Employment Act. No cases of child labor violations were reported within the past year. The Royal Barbados Police Force is the lead in investigating trafficking complaints.

*Commitments to Eliminate the Worst Forms of Child Labor:* According to the Department of Labor's 2014 Findings on the Worst Forms of Child Labor (2014 Findings), while the worst forms of child labor are not widespread in Barbados, the Government of Barbados has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and the Palermo Protocol on Trafficking in Persons. The findings nevertheless note recent improvements. For example, Barbados created the National Committee for Monitoring the Rights of the Child to protect the rights of children and to implement the UN Convention on the Rights of the Child. Barbados also supports and continues to implement various social programs that may help prevent child labor.

*Counternarcotics Cooperation:* The President has not identified Barbados as a major drug transit or illicit drug producing country under the Foreign Relations Authorization Act. The Royal Barbados Police Force (RBPF) has a Drug Squad, which has a priority mandate to cooperate and share information and intelligence with regional and international counterparts. The Drug Squad is guided by the Barbados National Anti-Drug Plan, which outlines the country's policies, goals, strategies, and legislation to combat narcotics trafficking. Its primary focus is on major traffickers, although it also monitors street "mules" and low-level drug traffickers. The Drug

Squad works closely with the Regional Security Systems (RSS) Air Wing, the RBPF Marine Unit, and the Barbados Coast Guard.

Trends in cocaine smuggling suggest that Venezuelan drug trafficking rings have fostered relationships with local Barbados-based organizations to facilitate trafficking. Meetings between these organizations have involved arranging for drops of cocaine by foreign vessels at predestined global positioning system coordinates for retrieval by local vessels at sea.

*Implementation of the Inter-American Convention Against Corruption:* Barbados signed the IACAC in 2001 but has not yet ratified it.

*Transparency in Government Procurement:* Under the Financial Management and Audit Rules of 2011, parties must solicit tenders for the provision of any services or supplies to the Government of Barbados that exceed a value of \$100,000. If the acquisition of these supplies or services has been funded by the government, the Ministry of Finance and Economic Affairs' General Tenders Committee must proceed in accordance with competitive bidding standards. If the acquisition of supplies or services has been funded through an International Funding Agency loan or a grant, a Special Tenders Committee is convened for procurement. With the exception of the procurement of medicines and related pharmaceuticals, only the Barbadian Cabinet can approve the procurement of supplies or services outside the ambit of the General Tenders Committee.

## Belize

Population: 347,369

(July 2015 est.)

Per Capita GDP: \$8,200 (2014 est.)

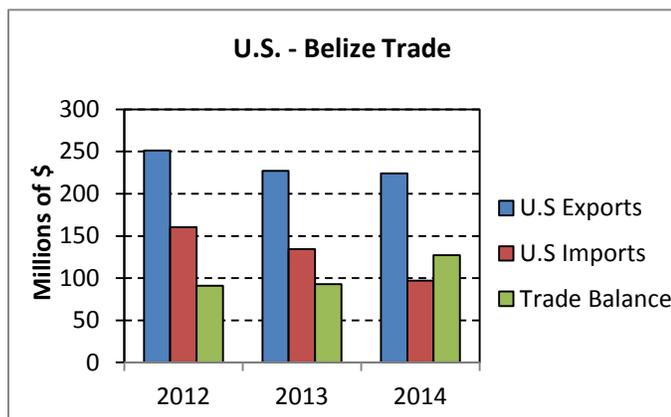
*Department of Commerce 2014*

*Trade Statistics*

U.S Exports               \$224,269,805

U.S Imports               \$96,938,767

Trade Balance           \$127,331,038



*Economic Review:* Although Belize is one of the smallest consumer markets in the Central American and Caribbean regions, its GDP grew by 3.6 percent in 2014, driven by agricultural export, tourism, and merchandise trade. The primary sector recorded an 8.4 percent expansion, as favorable weather underpinned increases in banana, sugarcane, and citrus. The services sector, which accounts for the largest share of the country's economy, also experienced an upturn in overnight visitors and cruise ship disembarkations. The average annual unemployment rate fell to 11.6 percent.

Despite the growth in other sectors, a decline in exports, particularly in crude oil, combined with strong imports widened the external current account deficit to 7.6 percent of GDP in 2014, up from 4.4 percent of GDP in 2013. In early 2015, the impact of the loss of some correspondent banking relations has been limited but may further affect the banking, offshore, and commercial sectors. Petro Caribe and other official disbursements continue to finance the current account deficit and help build international reserves. The fiscal deficit is expected to remain because of the Government of Belize's expansionary fiscal policies including wage increases and projects financed by Petro Caribe.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* Belize has been a WTO member since 1995, but the country rarely participates in WTO deliberations. This is primarily because Belize remains one of the few Caribbean countries with non-resident diplomatic representation to the WTO through its mission in Belgium. Belize also faces difficulties in implementing WTO agreements due to its limited staff in the government's trade directorate.

Belize's investment incentive legislation, specifically regarding fiscal incentives, commercial-free zones, and export processing zones, has raised questions in the context of trade barriers. Belize is working to modify these programs so that its subsidies are not contingent on export performance. The government has sought outside consulting through the Commonwealth Secretariat as well as experts from the WTO. It has initiated country-wide consultation with stakeholders, including the program's beneficiaries, to inform them of required changes to the program.

*Protection of Intellectual Property:* Belize has fulfilled its WTO obligation to implement the TRIPS Agreement. The Belize Intellectual Property Office, was established to administer intellectual property laws, and it functions as Belize's national intellectual property registry. Its mandate covers the protection of copyrights, industrial designs, patents, trademarks, new plant varieties, and layout designs (topographies) of integrated circuits. However, despite the establishment of intellectual property laws and an enforcement agency, illegally copied CDs and DVDs are widespread and marketed throughout the country. Local cable companies and television stations broadcast content pirated from U.S. television networks and cable channels, as well as sports programming and movies.

*Provision of Internationally Recognized Worker Rights:* Belize has ratified all eight of the ILO core labor conventions. The law generally provides for the right of association, the right to organize and bargain collectively, and the right to establish and join independent trade unions and conduct legal strikes. Belize's constitution prohibits all forms of forced or compulsory labor. Penalties for forced or compulsory labor were covered under the new anti-trafficking laws, which carry sentences of one to 12 years. This penalty is comparable to those for other major offenses and are sufficient to deter violations.

The national minimum wage of BZ\$3.30 (approximately \$1.70) per hour across-the-board and is enforced by the Ministry of Labor. The minimum wage includes unskilled workers engaged in agriculture and the agricultural industry, manual workers, shop assistants, and domestic workers. The law sets the work week at no more than six days or 45 hours and requires payment for overtime work. The agricultural sector continues to utilize undocumented Central American workers during land preparation and harvesting. Belizean employers are obligated to take reasonable care for the safety of employees in the course of their employment. In cases where employers provide lodging, employers are required to provide and maintain sufficient and hygienic housing accommodations, access to clean water, and proper sanitary arrangements.

*Commitments to Eliminate the Worst Forms of Child Labor:* In 2014, Belize made minimal progress to eliminate the worst forms of child labor. The Government of Belize provided training on child labor issues to law enforcement agencies, developed a new program to train officials on its trafficking in persons, and passed commercial sexual exploitation legislation in 2013. However, despite its efforts, child labor occurs in Belize in various forms, ranging from in the agriculture industry to the worst forms of child labor, including commercial sexual exploitation sometimes as a result of human trafficking.

Important gaps in the country's legal framework remain. Belize does not set a minimum age of 14 for work for all sectors, and the country lacks a list of hazardous occupations that are prohibited for children. In addition, the government does not appear to have programs that aim to reduce child labor in agriculture, a sector in which it remains prevalent.

*Counternarcotics Cooperation:* The President has identified Belize as a major drug transit or major illicit drug producing country under the provision of the Foreign Assistance Act. Belize was not designated as having "failed demonstrably" to make substantial efforts during the previous 12 months to adhere to international counternarcotics agreements and to take measures specified in U.S. law. Belize is a major transshipment country for cocaine and precursor chemicals used in the production of synthetic drugs. Due to its position along the Central American isthmus, Belize

is susceptible to the transshipment of cocaine between drug-producing countries in South America and the United States, as well as chemicals bound for processing into finished drugs in Mexico.

Through the provision of equipment, training, and technical assistance, including through the Central America Regional Security Initiative, the United States bolstered Belize's efforts to disrupt and decrease the flow of narcotics, weapons, and illicit proceeds generated by sales of illegal drugs, and to confront gangs and criminal organizations. U.S. support included infrastructure upgrades, training, and the provision of equipment for the Belize Police Department and other Government of Belize departments involved in citizen security. The Military Liaison Office provides assistance to the Belize Defense Forces and Coast Guard, which also support the counternarcotics mission. The United States provided funding to implement an interconnected Personal Identification and Registration System at all immigration offices and land, sea, and air border posts in Belize. The project will install a computerized information management system designed to detect and register all entries and exits of persons, and strengthen the capacity of immigration services to more efficiently manage the country's borders.

*Implementation of the Inter-American Convention against Corruption:* Belize signed the IACAC in 2001 and ratified the Convention in 2002. In addition, the Prevention of Corruption Act of 2007 provides measures for establishing integrity and accountability in public life and applies to members of the National Assembly and members of municipal councils. The Act requires the public disclosure of statements of assets, income, and liabilities. The Act empowers the Belize Integrity Commission with investigative measures to combat corruption. Penalties for non-compliance with disclosure range from a fine of not less than \$1,500 and/or imprisonment for one year. Enforcement is weak, and less than 25 percent of parliamentarians and public officials comply with the Act's public disclosure requirement. The Government of Belize maintains an Office of the Ombudsman to investigate allegations of official corruption and official wrongdoing, but enforcement is limited or non-existent. Money laundering is closely associated with corruption and Belize made progress in passing relevant legislation and regulations, as recognized by the Caribbean Financial Action Task Force.

*Transparency in Government Procurement:* Belize has made attempts to address transparency in government procurement. The Finance and Audit (Reform) Act of 2005 provides standards to ensure regulation of public revenue, expenditure, and contracting. The government must submit purchases of over \$50,000 to public bidding by both local and foreign companies.

*Nationalization/Expropriation:* Belize has shown signs of willingness to correct previous expropriation grievances. In 2004, Innovative Communication Corporation, LLC (ICC), a privately-held company headquartered in the U.S. Virgin Islands, agreed to assume a \$57 million debt owed by the government of Belize as partial payment for the purchase of 85 percent of Belize Telecommunications Limited (BTL) from the Belizean government. In 2005, ICC failed to pay the \$57 million owed and the Belizean government took over the debt and repossessed the shares, alleging that ICC had failed, after several extensions, to make remaining payments for BTL shares. In May 2007, the government enacted a new "Vesting Act" under which the BTL ceased to exist. All of the BTL business was subsequently vested in a new company, Belize Telemedia Limited. In August 2009, the government of Belize passed special resolutions in the National Assembly to take over the assets and operations of the firm. The company owning the firm prior to the nationalization challenged the Government of Belize through the courts and in July 2011, the

Caribbean Court of Justice ruled that the nationalization was not legal. The Government of Belize passed new legislation to nationalize BTL a few days later, and in October 2011 passed the Eighth Amendment to the Constitution, requiring public ownership of utilities.

In September 2015, the government reached a negotiated settlement with the previous owners of BTL. The settlement will include \$48.65 million in relation to an arbitral award. Additionally, the government has agreed to pay \$32.65 compensation for the acquisition of BTL shares. The exact level of compensation, however, is still subject to arbitration proceedings in London.

*Preferential Treatment:* As a member of CARICOM, Belize is a party to the EPA. However, there are no known cases of preferential treatment of products of a developed country that have adversely affected U.S. commerce.

*Extradition:* Belize and the United States signed an extradition treaty in 2000 and exchanged instruments of ratification in 2001.

## British Virgin Islands

Population: 33,454

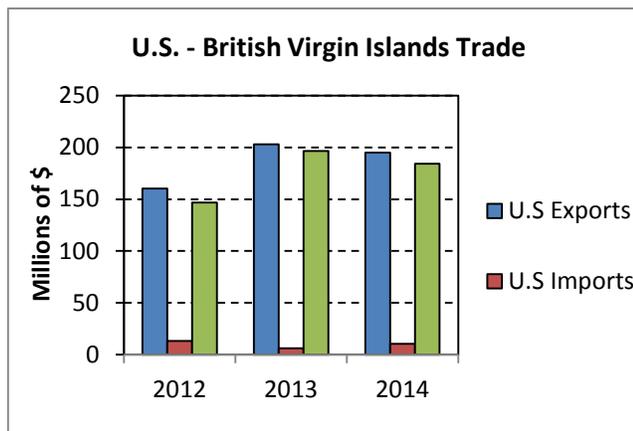
(July 2015 est.)

Per Capita GDP: \$42,300 (2010 est.)

*Department of Commerce 2014*

*Trade Statistics*

U.S Exports	\$194,828,888
U.S Imports	\$10,693,941
Trade Balance	\$184,134,947



*Economic Review:* The economy of the British Virgin Islands (BVI), which has traditionally been one of the more stable in the Caribbean, is markedly tied to tourism. The BVI's GDP nominally grew by 1.5 percent to \$923.2 million in 2013, which the nation's Finance Minister attributed the economic growth to steady investment and expansion of the construction and tourism sectors. While tourist arrivals declined by 1.3 percent in 2013, total tourist expenditures increased. In 2013, tourism grew by 4.2 percent relative to 2012 and generated an estimated 76.9 percent of national income. Inflation in BVI is estimated to have increased from 1.5 percent in 2013 to 2.0 percent in 2014.

According to the Caribbean Development Bank, the BVI economy contracted slightly in 2014. The bank attributes the decline in economic activity to significant decreases in construction, as well as moderate downturns in major economic sectors, which outweighed the relatively strong growth in tourism.

BVI has a sophisticated and well-established financial sector that offers accounting, banking and legal services, captive insurance, company incorporations, mutual funds administration, trust formation, and shipping registration. As of June 2014, the banking sector had assets valued at \$2.4 billion.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* The BVI is not a WTO member but indirectly participates in the WTO through the United Kingdom as a British Overseas Territory.

*Protection of Intellectual Property:* In the BVI, the law governing the protection of intellectual property is that of the United Kingdom.

*Provision of Internationally Recognized Worker Rights:* The minimum wage in the BVI is \$4 per hour. The Ministry of Natural Resources and Labour manages and administers labor matters in all sectors of the economy and regulates working conditions that protect the health, safety and welfare of workers. The Labour Commissioner's mission is to protect the rights and wages

through the enforcement of the BVI labor laws.

The minimum age for employment under the Labor Code of 2010 is 16 years of age, and children younger than 18 years of age are prohibited from hazardous work. Children between the ages of 16 and 18 must have sufficient training and supervision when operating heavy machinery, and all children younger than 18 years of age are prohibited from night work.

*Commitments to Eliminate the Worst Forms of Child Labor:* According to the Department of Labor's 2014 *Findings on the Worst Forms of Child Labor*, there is no evidence that children in the BVI are engaged in the worst forms of child labor. The Labor Code of 2010 also provides for the removal and rehabilitation of children subjected to the worst forms of child labor and makes the offense punishable with a fine, holding both the employer and the child's parent or guardian liable.

*Counternarcotics Cooperation:* The BVI has not been identified by the President as a major drug transit or major illicit drug producing country under the provision of the Foreign Relations Authorization Act. In the 2015 International Narcotics Control Strategy Report (INCSR), however, the U.S. Department of State identified the BVI as a major money laundering country. According to the INCSR, the BVI is a favored destination for registering shell companies cheaply and quickly. The BVI are a major target for drug traffickers, who use the area as a gateway to the United States. BVI authorities continue to work with regional and U.S. law enforcement agencies to mitigate these threats.

The United States and the United Kingdom have a judicial narcotics agreement and a Mutual Legal Assistance Treaty (MLAT) relating to some UK territories such as the Cayman Islands, Anguilla, the BVI, Montserrat, and the Turks and Caicos Islands. There is strong collaboration between BVI law enforcement and regional as well as U.S. law enforcement agencies, resulting in several successful operations targeting drug smuggling and drug dealing. There have been 24 money laundering-related prosecutions and 13 convictions since 2008.

*Implementation of the Inter-American Convention Against Corruption:* The BVI is not a signatory to the IACAC, but as a British Overseas Territory, its international obligations derive from those of the United Kingdom.

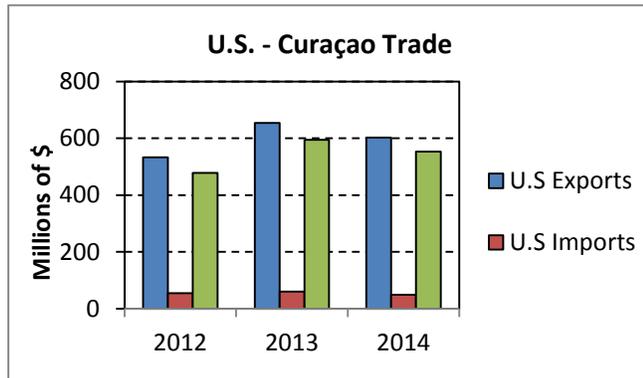
## Curaçao

Population: 148,406 (July 2015 est.)

Per Capita GDP: \$15,000 (2014 est.)

### *Department of Commerce 2014 Trade Statistics*

U.S Exports	\$603,102,148
U.S Imports	\$49,599,507
Trade Balance	\$553,502,641



*Economic Review:* Curaçao’s real GDP has decreased by an average of 0.5 percent per year from 2011 to 2013. This low growth, as well as low job creation, can be attributed in part to low competitiveness, adverse trends in the country’s main economic sectors, bureaucratic inefficiencies, and strict labor laws. According to the latest data, the country was anticipated to experience positive growth in 2014 due to the construction of the country’s new hospital. Growth could increase further from a rebound by the country’s International Financial Center (IFC), increased tourism, and large public infrastructure projects.

Curaçao has a relatively diversified economy, with an oil refinery, a dry dock, a transshipment port, and the IFC when compared to some other Caribbean islands. However, the economy is still vulnerable to tourism fluctuations and to the economic stability of Venezuela, Curaçao’s main trading partner. Unemployment is higher than other countries in the region, at 13 percent in 2014.

Curaçao’s public debt was previously as high as 43.6 percent of GDP in 2009. Netherlands took on all outstanding debt from the Netherlands Antilles in return for a smaller, long-term, low-cost debt. This reduced the debt to 28.1 percent of GDP. Public debt is expected to increase back up to 36.2 percent of GDP in 2015.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* Curaçao is taking its first steps toward WTO accession. Curaçao is working to continue and finalize tariff negotiations based on GATT Article XXVIII, paragraphs 1 and 2.

*Protection of Intellectual Property:* The current intellectual property rights legislation in force in Curaçao offers significant protections and is in compliance with the TRIPS Agreement. Patents are protected in a central registry in the Netherlands by the “Rijksoctrooiwet” (the Patent Act) of 1995. Authors, including copyrights, are protected by the “Auteursverordening” (the Authors’ Decree) of 1913. Trademarks are protected by the “Merkenlandsverordening” (the National Ordinance on Trademarks) of 1995, the Trademark Decree of 1995, and regulated by the Bureau for Intellectual Property (BIP). BIP offers the following services: international and national trademark registration, patent registration through the Netherlands Patent Center, copyright information, ISBN services, and i-Envelope services.

*Provision of Internationally Recognized Worker Rights:* In 2014, the minimum monthly wage in Curaçao was 1,304 Netherlands Antillean guilders (approximately \$733), which is below the official poverty level of 2,195 guilders (approximately \$1,233).

Curaçao, however, has taken steps to recognize and protect internationally-recognized workers rights. According to the 2014 Human Rights Report by the Department of State, in all parts of the Kingdom of the Netherlands, the laws provide for public- and private-sector workers to form or join independent unions of their own choosing without prior governmental authorization or excessive requirements.

Government authorities have expressed concerns that migrant laborers in Curaçao are forced to work in construction, landscaping, and retail services. Some migrants, such as Indian and Chinese nationals working in restaurants and local businesses, are vulnerable to debt bondage. Front-line responders do not have standard procedures for identifying forced labor victims, which hinders the government's ability to assist such victims.

*Commitments to Eliminate the Worst Forms of Child Labor:* The Kingdom of the Netherlands is responsible for safeguarding fundamental human rights and freedoms in its territories, including in Curaçao. Curaçao has not ratified ILO Convention 182, which concerns the elimination of the worst forms of child labor. However, national laws and regulations, prohibit work performed by children. The minimum age for employment in Curaçao is 15 years of age. Inspectors of the Ministry of Education, Sport, and Culture enforce laws and policies to protect children. No cases of child labor violations have been registered with the Ministry. Children age 12 or older who have finished elementary school may work if doing so is necessary for learning a trade or profession, not physically or mentally taxing, and not dangerous. The government and a tripartite labor commission effectively enforce the minimum-age laws and conduct adequate inspections.

*Counternarcotics Cooperation:* Curaçao has not been identified by the President as a major drug transit or major illicit drug producing country under the provision of the Foreign Relations Authorization Act. The obligations of the Netherlands as a party to the UN Single Convention on Narcotic Drugs, and the UN Convention against Transnational Organized Crime and its three Protocols apply to Curaçao.

There have been reports that Curaçao serves as a transshipment point for cocaine from Colombia and Venezuela destined for the United States, other Caribbean islands, Africa, and Europe. Generally, cocaine is transported via fishing boats and inter-coastal freighters

Curaçao has demonstrated its commitment to the counternarcotics effort by continued support for a USAF Forward Operating Location at Curaçao Hato International Airport. Under an agreement, signed in 2000 and extended through 2021, U.S. military aircraft conduct counternarcotics detection and monitoring flights over both the source and transit zones from commercial ramp space.

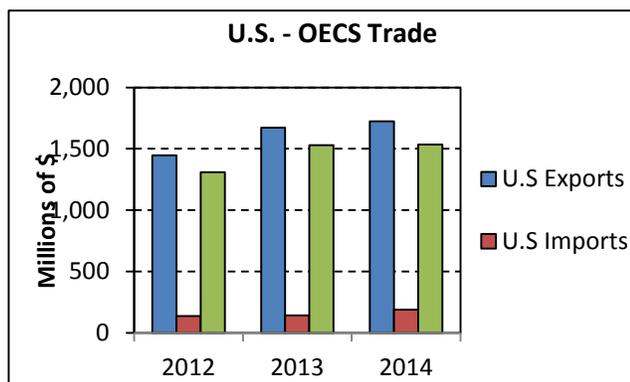
*Implementation of the Inter-American Convention Against Corruption:* The Kingdom of the Netherlands and its constituent countries are not a signatory of the IACAC. The Council of Europe Civil Law Convention on Corruption has applied to Curaçao since 2010.

*Transparency in Government Procurement:* The Government of Curaçao applies international competitive bidding standards and guidelines. For consultancy activities less than \$16,850, Terms of Reference and one tender are required; for consultancy activities between \$16,850 and 33,708, three to five tenders are required; for consultancy activities more than \$33,708, a two envelopes tender system applies: one envelope for the content and quality of the activity, and one for the financial part of the project.

## The Organization of Eastern Caribbean States

*Department of Commerce 2014  
Trade Statistics*

U.S Exports	\$1,723,965,247
U.S Imports	\$189,271,662
Trade Balance	\$1,534,693,585



The Organization of Eastern Caribbean States (OECS) is made up of the countries of Antigua and Barbuda, Dominica, Grenada, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, and Montserrat, an overseas territory of the United Kingdom.

### Antigua and Barbuda:

*Economic Review:* Antigua and Barbuda is one of the more developed countries in the Eastern Caribbean, with a GDP of \$1.03 billion in 2013. According to the Eastern Caribbean Central Bank (ECCB), Antigua and Barbuda's economy was expected to grow by 4.18 percent in 2015. Since successfully completing a three-year Standby Agreement with the IMF in 2013, Antigua and Barbuda's economy remains buoyant due to falling oil prices, an increase in large construction projects, and the increase of tourist arrivals. However, there are some fiscal challenges, particularly in the area of debt servicing. To address these challenges, the current government is working to create an enhanced business climate to attract more foreign investment to the country. Antigua and Barbuda is a member of the OECD and the Eastern Caribbean Currency Union (ECCU).

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* Antigua and Barbuda, like all OECS Members (not including Montserrat, which is a U.K. overseas territory), has been a WTO member since 1995 and generally demonstrates a commitment to fulfill its WTO obligations on schedule despite being hindered by a lack of government resources and technical expertise.

*Protection of Intellectual Property:* Antigua and Barbuda have laws in place to address the protection of intellectual property. Antigua's Copyright Act makes it illegal to manufacture or import for sale or rental any copyright circumvention device. The consortium of electronic manufacturers, software companies, and motion picture studios that develop technological copyright protection measures has worked with the criminal enforcement authorities in Antigua for over seven years to enforce this statute. Pursuant to this statute, in April 2014, the owner and operator of Slysoft was found guilty of providing tools to circumvent encryption and was fined \$30,000.

Antigua and Barbuda and other OECS Members are moving toward harmonizing their intellectual property laws. OECS Members are also working to educate their populations on the benefits that accrue from establishing an effective intellectual property regime and are striving to comply with international obligations and strengthen protection. However, video, music, and DVD piracy remains a problem throughout the region. A WIPO-sponsored study on the economic contributions of the copyright industries to OECS Members is expected to provide an incentive for OECS Members to strengthen protection for copyrights throughout the region.

*Provision of Internationally Recognized Worker Rights:* Antigua and Barbuda have adopted various laws regarding worker rights. The country has ratified all eight of the ILO core labor conventions. Further, the labor code provides that the Minister of Labor may issue orders, which have the force of law, to establish a minimum wage.

The minimum wage is EC\$8.20 (approximately \$3.03) an hour for all categories of labor. The law provides that workers are not required to work more than a 48-hour, six-day workweek, but in practice the standard workweek was 40 hours in five days.

Antiguan law establishes a minimum working age of 16, which corresponds with the provisions of the Education Act. In addition, persons under 18 years of age in some sectors must have a medical clearance to work and may not work later than 10:00 p.m.

*Commitments to Eliminate the Worst Forms of Child Labor:* Antigua and Barbuda practices a no-tolerance policy relating to child labor in accordance with its Constitution of 1981 and conventions of the ILO.

*Counternarcotics Cooperation:* The President has not identified Antigua and Barbuda as a major drug transit or major illicit drug producing country under the provisions of the Foreign Relations Authorization Act.

However, as substantial offshore center with a large financial sector, Antigua and Barbuda continues to be vulnerable to money laundering and other financial crimes, and drug trafficking - appears to be increasing. The Antiguan Office of National Drug Control and Money Laundering Policy (ONDCP) has a three-pronged approach to combat narcotics trafficking, money laundering, and the financing of terrorism. This includes the reporting of financial intelligence and investigation, Anti-Money Laundering/Combating Terrorism Financing (AML/CFT) compliance, and counter-narcotics operations. Despite this, the ONDCP's analysis in 2013 showed that criminals were still able to exploit the system due to the failure of financial institutions to apply sufficiently rigorous due diligence to suspicious transactions. In 2014, it reported increased evidence of money laundering related to drug trafficking taking place through local financial institutions. There have been few successful investigations, prosecutions, and convictions.

*Nationalization/Expropriation:* There have been questions raised about expropriation by the Antiguan government. In 1971, U.S. holding company HMB Holdings Limited (HMB) purchased a hotel property named Half Moon Bay in Antigua. In 1995, Hurricane Luis struck Antigua, causing widespread damage and closing the hotel. In 1999, the Government of Antigua

moved to acquire the property compulsorily in order to resume hotel operations. In June 2007, the UK Privy Council approved the acquisition, and in February 2014, ordered the Government of Antigua to pay the claimant \$26.3 million for the property, plus interest. Although, with the Privy Council decision, the Government of Antigua has exhausted its appeals, it has not yet paid any of the principal or interest owed to the claimant, currently valued at \$41.7 million. The United States is continuing to assess this situation.

### Dominica:

*Economic Review:* Dominica's economy was negatively affected by damage sustained due to Tropical Storm Erika in August of this year. The Storm caused significant damage to the entire island. Based upon an initial assessment of the impact, the World Bank found that Tropical Storm Erika caused total damage of \$483 million, equivalent to approximately 90 percent of Dominica's GDP. Tropical Storm Erika interrupted Dominica's economic diversification program – repositioning its economy from largely agriculture to services, particularly eco-tourism, information and communication technologies and education.

*Commitments to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or another FTA:* Dominica, like all OECS Members (not including Montserrat), has been a WTO member since 1995 and generally demonstrates a commitment to fulfill its WTO obligations on schedule despite being hindered by a lack of government resources and technical expertise.

*Protection of Intellectual Property:* Currently, Dominica does not impose significant intellectual property laws, but it is moving toward harmonizing its intellectual property laws within the OECS. At this time, Dominica does not maintain statutory licensing regimes, and reportedly fails to intercede when unauthorized companies intercept and retransmit copyrighted content without remuneration. Additionally, video, music, and DVD piracy remain problematic in Dominica. A WIPO-sponsored study on the economic contributions of the copyright industries to OECS Members is expected to provide an incentive for Dominica and other OECS Members to strengthen copyright protections.

*Provision of Internationally Recognized Worker Rights:* Dominica has adopted various laws regarding worker rights and has ratified all eight of the ILO core labor conventions. Dominica's minimum wage law establishes a base wage of EC\$5.00 (approximately \$1.87) per hour for all public and private workers. Dominica last updated its minimum wage in June 2008 and it varies according to category of worker, with the lowest minimum wage set at EC\$4.00 (approximately \$1.50), and the maximum at EC\$5.50 (approximately \$2.06) per hour. However, most workers, including domestic employees, earned more than the minimum wage, as prevailing wages were much higher than statutory minimum wages.

Dominica's minimum age law varies based on the type of work being performed. The law allows children to start working at the age of 12 in family-run businesses and farms, as long as the work does not involve selling alcohol. Safety standards limit the type of work, conditions, and hours of work for children over the age of 14. Children 14 years of age and older can work in apprenticeships and regular jobs that do not involve hazardous work, such as mining and seafaring. The minimum age to be employed in hazardous work is 14 years. According to the State

Department's 2014 Human Rights Report, the government effectively enforces these standards. There were no abuses reported and the government effectively enforced all labor standards, including in the informal sector.

*Commitments to Eliminate the Worst Forms of Child Labor:* The Department of Labor's 2014 Findings on the Worst Forms of Child Labor did not identify the worst forms of child labor in Dominica.

*Transparency in Government Procurement:* As a member of the OECS, Dominica continues the general practice of maintaining open and transparent government policies. The United States is not aware of any non-competitive bidding procedures. None of the OECS Members are signatories of the WTO Agreement on Government Procurement.

### Grenada:

*Economic Review:* Grenada's main source of foreign exchange is tourism, similar to others in the region. In addition, construction, manufacturing, and higher education are key contributors to Grenada's economic output. Grenada still faces a substantial debt burden from rebuilding following Hurricane Ivan in 2004 and Hurricane Emily in 2005. While Grenada's leaders continue to pledge themselves to the improvement of the country's business climate, the impact of the debt incurred remains evident. Public debt-to-GDP is roughly 110 percent. Grenada's ranking on the World Bank's Doing Business Indicator slipped from 125 in 2014 to 126 in 2015.

There are signs of economic recovery and growth in Grenada. According to the IMF, real GDP growth is projected to be 3.4 percent in 2015 and 2.4 percent in 2016. According to data from the ECCB, the total number of visitors increased by 18.6 percent and total visitor expenditures increased 14.3 percent from 2013 to 2014.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* Grenada, like all OECS members (not including Montserrat), has been a WTO member since 1995 and generally demonstrates a commitment to fulfill its WTO obligations on schedule.

*Protection of Intellectual Property:* Grenada maintains a statutory licensing regime that includes a requirement to pay royalties to rights holders. Some rights holders have asserted that this regime is ineffective and does not provide royalty payments due to a pattern of unlicensed cable-casting and broadcasting of copyrighted music. Like others in the region, video, music, and DVD piracy remains a problem as well. On the positive side, Grenada is moving toward harmonizing its intellectual property laws within the OECS and a WIPO-sponsored study on the economic contributions of the copyright industries to OECS Members is expected to provide an incentive for OECS Members to strengthen protection for copyrights.

*Provision of Internationally Recognized Worker Rights:* Grenada has adopted various laws regarding worker rights and has ratified all eight of the ILO core labor conventions. Grenada's minimum wage requirement, imposed by the Ministry of Labor, was last updated in 2014, and links wages to various categories of workers. For example, the minimum wage for security guards

is XCD \$9.00 (approximately \$3.33) per hour. The minimum hourly wage for domestic workers was set at XCD \$4.50 (approximately \$1.67) per hour. The normal workweek is 40 hours in five days.

Under Grenada law, children are allowed to start working at the age of 12 in family-run businesses and farms, as long as the work does not involve selling alcohol. At age 14, the law allows children to work in apprenticeships and regular jobs that do not involve hazardous work. The minimum age to be employed in hazardous work is 18 years.

*Commitments to Eliminate the Worst Forms of Child Labor:* The Department of Labor's 2014 Findings on the Worst Forms of Child Labor indicate that the worst forms of child labor do not appear to be a problem in Grenada.

*Counternarcotics:* The President has not identified Grenada as a major drug transit or major illicit drug producing country under the provision of the Foreign Relations Authorization Act. According to the 2015 State Department International Narcotics Control Strategy Report, Grenada, passed several new laws in 2014 that will facilitate the prosecution of narcotics cases, including comprehensive civil asset forfeiture laws.

*Implementation of the Inter-American Convention Against Corruption:* Grenada ratified the IACAC in November of 2001.

*Transparency in Government Procurement:* As a member of the OECS, Grenada continues the general practice of maintaining open and transparent government policies. The United States is not aware of any non-competitive bidding procedures. None of the OECS Members are signatories of the WTO Agreement on Government Procurement.

### Montserrat:

*Economic Review:* Montserrat, one of five British Overseas Territories, is a small country with 5,215 inhabitants. It has suffered significant economic difficulty in recent years due to volcanic eruptions.. Starting in 1995, repeated eruptions of the Soufriere Hills Volcano in the south of the island have led to the evacuation and relocation of residents from the "exclusion zone." Approximately 60 percent of the island's land area has been abandoned since 1995 and half of the island remains uninhabitable. While there has been no major volcanic activity since February 2010, activity could resume with little or no warning. The decrease in arable land associated with the volcanic eruptions has increased Montserrat's reliance on tourism.

In January 2013, the EU announced the disbursement of a \$55.2 million aid package to Montserrat to boost the country's economic recovery, with a specific focus on public finance management, public sector reform, and prudent economic management. Despite the aid package, Montserrat's economy contracted by 4.8 percent to approximately \$60.6 million in 2013. However, the ECCB estimated that the island would experience positive growth of 3 percent in 2014.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* Montserrat is not a WTO member, but indirectly participates in the

WTO as part of the United Kingdom.

*Provision of Internationally Recognized Worker Rights:* Monserrat does not have broad laws regulating worker rights, but various less formal options are available to workers. There is no minimum wage in Montserrat. However, it is recommended that prospective employers pay wages equal to or above those approved for government workers. The labor force in Montserrat is small and a majority of it is employed by the government. There is no legislated workweek, but workers generally work a 40-hour workweek. Labor relations are governed by the Employment Ordinance No. 19 of 1979. The Labor Department provides conciliation service. The Montserrat Allied Workers Union provides representation for workers outside the public sector.

*Commitments to Eliminate the Worst Forms of Child Labor:* Child labor does not appear to be a pressing problem for Monserrat, although there is no formal structure in place to combat it and critical gaps exist in the legal framework to protect children from being involved in the worst forms of child labor. The minimum age for employment under the Montserrat Labor Code is 16 years of age; however children older than 14 years of age are allowed to participate in light work. Children younger than age 18 are prohibited from working at night or in hazardous occupations. There is limited evidence that some children in Montserrat are engaged in commercial sexual exploitation in exchange for money and material goods. Information about the nature and prevalence of the problem remains limited.

*Counternarcotics Cooperation:* Montserrat was not identified as a jurisdiction of concern in the State Department's 2014 International Narcotics Control Strategy Report.

#### St. Kitts and Nevis:

*Economic Review:* The Federation of Saint Christopher and Nevis (St. Kitts and Nevis) remains one of the fastest growing economies in the Eastern Caribbean with a GDP of \$689.6 million. Saint Kitts and Nevis is a member of the OECS and the ECCU. According to the ECCB, St. Kitts and Nevis is projected to grow by 3.5 percent in 2015 and its outlook remains stable. Income from the citizenship by investment program, construction sector, and tourism helped the economy to reduce its indebtedness and economically recover after four years of stagnant economic growth. The current administration signaled its commitment to consider innovative business methods to attract new investments in the Federation.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Towards the FTAA or Another FTA:* St. Kitts and Nevis, like all OECS Members (not including Montserrat) has been a WTO member since 1995 and generally demonstrates a commitment to fulfill its WTO obligations on schedule.

*Protection of Intellectual Property:* St. Kitts and Nevis has laws in place addressing the protection of intellectual property. St. Kitts and Nevis currently maintains a statutory licensing regime that includes a requirement to pay royalties to rights holders. There have been reports from rights holders, however, that they have not received royalty payments.

Although Saint Kitts and Nevis, like other OECS Members suffers from an overall lack of resources, it is also moving toward harmonizing its intellectual property laws. A WIPO-sponsored study on the economic contributions of the copyright industries to OECS Members is expected to provide an incentive for OECS Members to strengthen protection for copyrights throughout the region.

*Provision of Internationally Recognized Worker Rights:* St. Kitts and Nevis has adopted various laws regarding worker rights, including the ratification of all eight ILO core labor conventions.

The government sets the minimum wage, which is EC\$9.00 (approximately \$3.33) an hour. Average wages are considerably higher than the minimum wage, which would not provide a decent standard of living for a worker and family. The minimum wage law is strictly enforced. The Labor Commission undertook regular wage inspections when it received complaints and required employers found in violation to pay back wages. The law provides for a 40- to 44-hour workweek, but the common practice is 40 hours in five days.

The constitution prohibits slavery, servitude, and forced labor of children, and the country's Department of Labor effectively enforced this law in practice. There were no reports of child labor violations during the year. The minimum legal working age is 16 years. Despite this, children under the age of 16 are often engaged in domestic service.

*Commitments to Eliminate the Worst Forms of Child Labor:* There is no evidence to suggest that the worst forms of child labor are a problem in St. Kitts and Nevis.

*Transparency in Government Procurement:* Like other OECS Members, the policies of Saint Kitts and Nevis are generally quite open and transparent, and the United States is not aware of any non-competitive bidding procedures. Saint Kitts and Nevis is not a signatory of the WTO Agreement on Government Procurement.

*Nationalization/Expropriation:* St. Kitts and Nevis currently has one outstanding expropriation case involving U.S. Citizens, but it has taken steps to resolve the claim. The prior administration of the Government of St. Kitts and Nevis reached a settlement for a large parcel of land with a U.S. citizen and arranged for a payment plan. The outgoing administration paid the U.S. citizen the installments for 2013 and 2014, but the new administration did not pay the 2015 installment. The government claimed that a second claimant came forward, and that it needed to evaluate the case before paying the remainder of installments. The Government of St. Kitts and Nevis remains indebted to the U.S. citizen for two installments of \$5 million each.

#### St. Lucia:

*Economic Review:* Saint Lucia is one of the more developed economies in the Eastern Caribbean with a GDP of \$1.06 billion. St. Lucia has a relatively high GDP per capita of approximately \$11,000. St. Lucia's economy is forecasted to grow moderately since experiencing a period of contraction and setbacks due to damage caused by the passage of Hurricane Tomas in 2010 and the Christmas Eve trough in 2013. According to the ECCB, St. Lucia's economy was expected to grow by 1.1 percent in 2015 due largely to an increase in tourist arrivals. Tourism is the main

economic sector; accounting for approximately 20 percent of jobs in the workforce. The island nation has been able to attract foreign business and investment, especially in its offshore banking and tourism industries. St. Lucia is a member of the OECS and the ECCU.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Towards the FTAA or Another FTA:* St. Lucia, like all OECS Members (not including Montserrat, which is a U.K. overseas territory) has been a WTO member since 1995 and generally demonstrates a commitment to fulfill its WTO obligations on schedule.

*Protection of Intellectual Property:* St. Lucia has taken steps to address the protection of intellectual property through legal and institutional means. St. Lucia maintains a statutory licensing regime that includes a requirement to pay royalties to rights holders. Rights holders assert that they do not receive royalty payments due to a pattern of unlicensed cable-casting and broadcasting of copyrighted music. Although OECS Members suffer from a lack of resources, they are moving toward harmonizing their intellectual property laws. OECS Members are also working to educate their populations on the benefits that accrue from establishing an effective intellectual property regime and are striving to comply with international obligations and strengthen protection. However, video, music, and DVD piracy remains a problem throughout the region. A WIPO-sponsored study on the economic contributions of the copyright industries to OECS Members is expected to provide an incentive for OECS Members to strengthen protection for copyrights throughout the region.

*Provision of Internationally Recognized Worker Rights:* St. Lucia has adopted various laws regarding worker rights. A new labor code took effect in August 2012 that further defines worker rights and increases penalties for violations. The law, including applicable statutes and regulations, specifies the right of most workers to form and join independent unions, to strike, and to bargain collectively. The law also prohibits anti-union discrimination, and workers fired for union activity have the right to reinstatement. Worker organizations are independent of the government and political parties. Workers exercise the right to strike and to bargain collectively in practice.

According to the State Department's 2014 Human Rights Report, the government generally respected freedom of association and the right to collective bargaining in practice. The government, pursuant to this practice, enforced remedies and penalties.

There is no minimum wage in effect. The legislated workweek is 41 hours, although the common practice is to work 40 hours in five days. Occupational health and safety regulations are relatively well developed. However, there are only eight labor inspectors and one occupational health and safety qualified inspector for the entire country to monitor compliance with occupational and safety standards, pension standards, and minimum wage violations. Article 122 of the Labor Code, Amendment Act (13, 14) set the minimum age for employment at 15 years of age. Some school age children work in rural areas, including on family farms. Children work in urban food stalls and as street traders during non-school and festival days. St. Lucia has ratified seven of eight of the ILO core labor conventions.

*Commitments to Eliminate the Worst Forms of Child Labor:* Limited evidence suggests that children are sometimes engaged in commercial sexual exploitation.

*Counternarcotics Cooperation:* The President has not identified St. Lucia as a major drug transit or major illicit drug producing country under the provision of the Foreign Relations Authorization Act. St. Lucia faces difficulty controlling drug related activity throughout the country. Illicit trafficking by established organized crime rings remains a serious problem for the Government of Saint Lucia. A majority of money laundering is primarily related to proceeds from illegal narcotics trafficking. Domestic and foreign criminal elements are responsible for illicit proceeds laundered in St. Lucia. It is suspected that financial institutions unwittingly engage in currency transactions involving international narcotics trafficking proceeds.

*Implementation of the Inter-American Convention Against Corruption:* St. Lucia ratified the IACAC in January of 2003.

*Transparency in Government Procurement:* The Government of St. Lucia's policies are generally open and transparent, and the United States is not aware of any non-competitive bidding procedures. St. Lucia is not a signatory of the WTO Agreement on Government Procurement.

*Nationalization/Expropriation:* St. Lucia has shown signs of willingness to correct previous expropriation grievances. An American citizen purchased 32 acres of land in St. Lucia in 1969. It was expropriated from him in 1985 by act of law and he has sought redress since that time. In July 2014, the Cabinet of Ministers denied the claimant's application to rectify the land registry in his favor. However, in subsequent recognition of certain questions of fairness associated with the cabinet's review process, the Government of St. Lucia has established a committee to further review this and other similar cases in an attempt to resolve the claim.

#### St. Vincent and the Grenadines:

*Economic Review:* St. Vincent and the Grenadines remains an emerging market in the Eastern Caribbean with a GDP of \$619 million. The country is a member of the ECCU and the ECCB. According to the ECCB, St. Vincent and the Grenadines' economy was projected to grow by 1.7 percent in 2015. It is still affected by the estimated \$127 million of damage caused by torrential rain in December 2013. St. Vincent and the Grenadines has measures in place to strengthen its economy. St. Vincent and the Grenadines upholds its economic diversification program through investment in niche markets, particularly tourism, international financial services, agro-processing, light manufacturing, creative industries and information and communication technology (ICT). The government continues to place high hopes on the long-awaited opening of the international airport to boost tourism arrivals in St. Vincent, but business owners are skeptical about the airport's ability to provide immediate dividends.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* St. Vincent and the Grenadines, like all OECS Members (not including Montserrat, which is a U.K. overseas territory) has been a WTO member since 1995 and generally demonstrates a commitment to fulfill its WTO obligations on schedule.

*Protection of Intellectual Property:* St. Vincent and the Grenadines addresses the protection of intellectual property through legal and informal means. St. Vincent and the Grenadines maintains a statutory licensing regime that includes a requirement to pay royalties to rights holders. Rights

holders assert that they do not receive royalty payments due to a pattern of unlicensed cable-casting and broadcasting of copyrighted music. Although the OECS Members suffer from a lack of resources, they are moving toward a harmonization of their intellectual property laws. OECS Members are also working to educate their populations on the benefits that accrue from establishing an effective intellectual property regime and striving to comply with international obligations through stronger protections. However, video, music, and DVD piracy remains a problem throughout the region. A WIPO-sponsored study on the economic contributions of the copyright industries to OECS Members is expected to provide an incentive for OECS Members to strengthen protection for copyrights throughout the region.

*Provision of Internationally Recognized Worker Rights:* St. Vincent and the Grenadines has adopted various laws regarding worker rights and has ratified all eight of the ILO core labor conventions. The Government of St. Vincent and the Grenadines has not updated its minimum wage laws since 2008. Minimum wages vary by sector and type of work and are specified for several skilled categories. In agriculture the minimum wage for workers provided shelter was EC\$32 (approximately \$11.85) per day, or EC \$56 (approximately \$20.74) per day if shelter was not provided; in the industrial sector, the minimum wage for workers was EC\$40 (approximately \$14.81) per day. According to the State Department's 2014 Human Rights Report, most workers earn more than minimum wage. The law prescribes workweek length according to category. For example, industrial employees work 40 hours a week, and store clerks work 44 hours a week. The Employment of Women, Young Persons and Children Act sets the minimum age for employment, including hazardous work, at 14 years of age. Children below the age of 18 are prohibited from working at night. Some children below the minimum age work on family-owned farms, mainly during harvest time, or in family-owned cottage industries. The government has added hazardous work legislation to protect workers, particularly in the agriculture sector.

Legislation concerning occupational safety and health is outdated, and enforcement of regulations is ineffective. The Department of Labor had five labor inspectors who conducted regular wage and workplace safety inspections. The Ministry of Agriculture conducted inspections and worksite visits in the agriculture sector related to occupational safety and health. While there are fines and other penalties in the labor laws, some of the laws are outdated to the point that the fines are inconsequential in value.

*Commitments to Eliminate the Worst Forms of Child Labor:* The worst forms of child labor is an area of concern in St. Vincent and the Grenadines. The Prevention and Trafficking in Persons Act in 2012 established a National Task Force Against Trafficking in Persons. According to the Department of Labor's 2014 Findings on the Worst Forms of Child Labor, some children are engaged in the worst forms of child labor in St. Vincent and the Grenadines. In 2014, St. Vincent and the Grenadines made minimal advancements to eliminate the worst forms of child labor.

*Counternarcotics Cooperation:* The President has not identified St. Vincent and the Grenadines as a major drug transit or major illicit drug producing country under the provisions of the Foreign Relations Authorization Act. Drug production and drug transit continue to be concerns, given limited law enforcement resources to patrol the crops and borders of this 32-island nation. In addition, St. Vincent and the Grenadines remains vulnerable to money laundering and other financial crimes as a result of drug trafficking and its offshore financial sector. This set of islands remains a small but active offshore financial center with a relatively large number of international

business companies (IBCs). U.S. currency is often smuggled into the country via couriers, go-fast vessels, and yachts.

*Implementation of the Inter-American Convention Against Corruption:* St. Vincent and the Grenadines ratified the IACAC in 2001.

*Transparency in Government Procurement:* Like other OECS Members, the government policies of St. Vincent and the Grenadines are generally open and transparent, and the United States is not aware of any non-competitive bidding procedures. St. Vincent and the Grenadines is not a signatory of the WTO Agreement on Government Procurement.

## Guyana

Population: 735,222

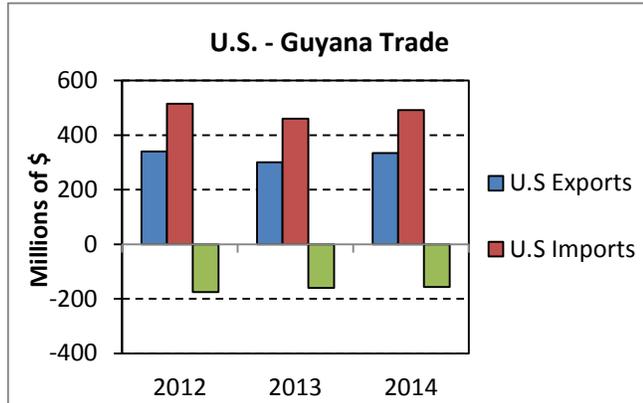
(July 2015 est.)

Per Capita GDP: \$6,900 (2014 est.)

*Department of Commerce 2014*

*Trade Statistics*

U.S Exports	\$334,697,581
U.S Imports	\$491,859,739
Trade Balance	\$-157,162,158



*Economic Review:* Guyana's economy depends on the export of primary commodities such as sugar, gold, bauxite, shrimp, timber, and rice. Its economic performance has improved since 2013, supported in particular by foreign direct investment (FDI) and the expansion of private sector credit. FDI increased by 19.3 percent to \$255.2 million in 2014 and GDP expanded 5.6 percent in 2014.

Per capita GDP was approximately \$6,900 in 2014, up from \$2,360 in 2009. The economy Guyana's current account deficit increased in 2014 to 15 percent of GDP, due to a large deficit in merchandise trade. At the end of 2014, Guyana's total external debt was \$1.2 billion. Debt service amounted to \$50.9 million, 10.9 percent higher than in 2013, from increased principal and interest payments to multilateral creditors. Guyana received approximately \$400 million in remittances in 2014, which accounted for 17 percent of the country's GDP, according to the Inter-American Development Bank 2014 report. Inflation in 2014 was 1.2 percent, led by stable fuel prices.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* Guyana has been a WTO member since 1995 and concluded its third WTO Trade Policy Review (TPR) in September 2015. The TPR noted concerns regarding potentially unequal treatment of foreign products and investors. For example, a zero-rated VAT is applied to some domestically-produced products but not to their imported equivalents, and the environmental tax is applied only to imported beverages.

Members have applauded Guyana's commitment to the multilateral trading system and noted that Guyana had established a national committee for the implementation of the Agreement on Trade Facilitation. Guyana's key priorities in the Doha negotiations are preferences and special and differential treatment. Guyana is closely aligned with its regional CARICOM partners and the Small and Vulnerable Economies (SVEs) group.

The Investment Act of 2004 grants MFN status to certain countries. However, the Minister of Finance may exclude sectors from private investment subject to affirmative resolution of the National Assembly. Under the Mining Act, small and medium-scale operations are restricted to

Guyanese citizens, although joint ventures with foreign companies are permitted. Foreign companies may be granted prospecting, mining, and quarry licenses for large-scale operations.

*Protection of Intellectual Property:* Guyana has adopted British law on intellectual property rights. Guyana's own Copyright Act dates to 1956, and its Trademark Act and Patents and Design Act date to 1973. Piecemeal modernization amendments offer additional protection to local products and companies, but not to foreign rights-holders. Guyana joined the WIPO and acceded to the Berne and Paris Conventions in 1994. Guyana has reported to the WTO Trade Review Panel that it is preparing a copyright bill. The Ministry of Foreign Trade and International Cooperation and the Ministry of Legal Affairs drafted legislation to authorize moving forward on accession to TRIPS in 2001, but it has not been passed.

Concerns have been raised about intellectual property violations in Guyana. Guyana does not appear to have an effective enforcement mechanism, and infringement continues to be common. Local and international stakeholders and media report that local television stations, including the state-owned and operated National Communication Network (NCN), pirate and rebroadcast TV satellite signals with impunity. Most music, videos, and software for sale are pirated. Book piracy is also rampant, especially foreign textbooks; illegally photocopied textbooks could account for one-third of local sales. Additionally, the head of the leading e-governance authority in Guyana reported that more than one-third of the computers used in government offices utilize pirated software. In 2012, local and international media reported that the Education Ministry invited seven local firms to supply photocopied primary and secondary level textbooks published by Trinidad and Tobago-based Royards Publishing Company. Royards Publishing eventually supplied the original textbooks, but only following threat of legal action.

*Provision of Internationally Recognized Worker Rights:* The Guyanese Constitution guarantees labor rights of association and collective bargaining, and about one-third of the workforce belongs to unions. The law requires employers to recognize any union elected by the majority of employees in a workplace. There is a tradition of close links between political parties and labor unions. Forced and compulsory labor is constitutionally prohibited and penalties for forced labor as a modality of trafficking in persons are prescribed in the Combatting of Trafficking in Persons Act.

Both the Education Act and the Employment of Young Persons and Children Act prohibits employment of children under the age of 15, with some exceptions for employment in family businesses outside school hours. The Employment of Young Persons and Children Act establishes the minimum age of 18 for admission to any type of employment which is likely to harm the health, safety or morals of young persons. The Occupational Safety and Health Act (OSHA) sets the minimum age for employment in factories at age 18 and authorizes inspectors to remove children under age 18 from work that may harm their health at age 18.

Children in Guyana are engaged in farming, fishing, mining, and street work, including vending and begging. In October 2015, the Ministry of Social Protection released the findings of the 2011 Child Labor Rapid Assessment, acknowledging the survey identified many children working on farms, selling produce in the streets, and subjected to commercial sexual exploitation. Girls as young as age 12 are subjected to commercial sexual exploitation in Georgetown and the country's interior, including in mining communities, sometimes as a result of human trafficking.

The government devotes 15.3 percent of the national budget to education and provides free education from nursery through secondary school, but the lack of human and financial resources limit educational opportunities. Children in Guyana's interior and rural areas face barriers to education due to poor infrastructure and a shortage of trained and qualified teachers, leading to decreasing enrolment and high dropout rates. Some primary schools in Guyana charge fees and have attempted to prevent children from attending school for failure to pay.

The National Minimum Wage Order of 2013 governs wages for regular working hours of all employees. The order defines wages for hourly, daily, weekly, and monthly workers as no less than G\$202 (approximately \$1) per hour; G\$1,616 (Approximately \$8) per day; G\$8,080 (approximately \$40) per week, or G\$35,000 (approximately \$173) per month. Under the law, the normal work week is 40 hours distributed over no more than five days per week. Overtime work is paid according to rates set in the Labor Act of 1978 or collective bargaining agreement. An employer found guilty of underpaying workers is fined \$173 for the first offence, and \$346 and one month's imprisonment for subsequent offenses. The minimum wage for public sector workers, covered under separate legislation, is G\$50,000 (approximately \$247) per month.

*Commitments to Eliminate the Worst Forms of Child Labor:* Guyana has made international commitments and implemented domestic laws regarding the worst forms of child labor. Guyana ratified ILO Convention 182 in 2001. In 2006, Guyana's Parliament amended the Employment of Young Persons and Children Act to define the "worst forms of child labor" consistent with the ILO Convention 182, but the President did not assent, and the parliament has not resubmitted it. Guyana has not moved forward on its 2011 plan to review disparities between legislation on child protection and education and ILO Conventions 138 and 182.

Guyana's laws prohibiting child labor and trafficking in persons are in need of improvement. The laws prescribe penalties to include fines, restitution payments, forfeiture of property, and possible life imprisonment. However, a dilatory and ineffective judicial system limits the deterrent effect of these laws.

The Ministry of Labor, Human Services and Social Security (MoLHSS) admits that Guyana does not have a comprehensive written strategy for combating and dealing with child labor. The flagship Tackling Child Labor Through Education (TACKLE) program, funded by the ILO and the European Union, ended in 2013. The government does not currently participate in any international commissions, task forces, or regional or bilateral agreements for combating child labor.

Lack of transparency and limited law enforcement capacity make accurate determination of the scope of child labor difficult. The systems in place and relatively high level of government oversight in larger segments of the mining and logging industries, however, appear to be effective in deterring the use of child labor.

*Counternarcotics Cooperation:* Guyana is a transit country for cocaine in route to the United States, Canada, the Caribbean, Europe, and West Africa. Cocaine from Colombia is smuggled through Venezuela to Guyana by sea or air, or over land from Brazil, Suriname, and Venezuela. Porous borders and extensive rainforest make Guyana a safe haven for traffickers, and the cocaine

trade influences the political and criminal justice systems.

Guyana is a member of the CBSI, and has expressed interest in increasing its cooperation with the United States. In 2001, Guyana signed a maritime counternarcotic bilateral agreement but has not yet brought it into effect. The Guyanese coast guard cooperates with the United States in maritime interdiction, patrolling local territorial waters, and conducting humanitarian search and rescue missions. In 2015, the U.S. Government conducted port and maritime training to promote law enforcement professionalization and more effective narcotics investigations.

The Guyanese Government is drafting anti-gang legislation and has implemented an Integrated Crime Information System, which monitors trends and links the Ministry of Public Security to public hospitals, prisons and police stations, though police stations in remote areas lack reliable telecommunication services. The Guyanese Government has also drafted a National Drug Strategy Master Plan 2013-2017 and established the Special Organized Crime Unit. Drug enforcement presence has been set up at port and land-border entry points through the Guyana Police Force, Customs Anti-Narcotic Unit, the Guyana Revenue Authority, with the Guyana Defense Force in a supporting role.

*Implementation of the Inter-American Convention Against Corruption:* Guyana ratified the IACAC in 2000 and the UN Convention Against Corruption in 2008. Bribery is established as a criminal offense under Guyanese law. The government passed legislation in 1997 that requires public officials to disclose their assets to an Integrity Commission prior to assuming office. However, the Integrity Commission has never been constituted and remains inoperative. Compliance with the legislation therefore has been uneven.

*Transparency in Government Procurement:* The Procurement Act of 2003 provides for the establishment of a National Procurement and Tender Administration Board, appointed by the Minister of Finance. Widespread concerns persist, with rampant allegations of cronyism and nepotism. The Auditor General notes continuous disregard for the procedures, rules, and the laws that govern public procurement systems. The Constitution of Guyana provides for the establishment of a Public Procurement Commission to provide oversight to government procurement of goods and services and the execution of works, but no agreement has been reached on the nomination of the commission's members.

*Nationalization/Expropriation:* Evidence of discrimination against U.S. investments, companies, or representatives in the application of expropriation laws has not been identified.

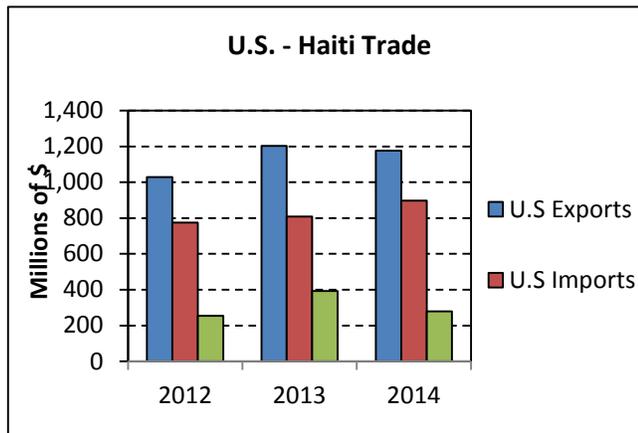
*Extradition:* Guyana operates under an extradition treaty from 1931 between the United States and Great Britain.

## Haiti

Population: 10,110,019  
(July 2015 est.)  
Per Capita GDP: \$1,800 (2014 est.)

*Department of Commerce 2014  
Trade Statistics*

U.S Exports	\$1,175,927,043
U.S Imports	\$897,032,571
Trade Balance	\$278,894,472



*Economic Review:* In 2015, Haiti's economy showed signs of continuing improvement as private investment outpaced donor assistance for the fourth consecutive year. However, GDP grew by only 2.8 percent, which was well below the IMF's projection of 3.5 percent during 2015. Drought conditions and depreciation of the Haitian Gourde over the past year recently prompted the government to downgrade its projection of growth to 2.5 percent. Political uncertainty has also made private parties hesitant to invest in Haiti's economy. Despite this reluctance, visible investments in industrial parks and manufacturing centers, hotel and other tourism development, and many start-up enterprises reflect the shift away from aid dependency.

Haiti faces many challenges including weak investor protections, problematic contract enforcement, high energy costs, inadequate infrastructure, and widespread corruption. Imports, a significant portion of the Haitian economy, declined 18 percent in a year-over-year comparison with 2014. Exports of manufactured goods continued to grow, as did consumer spending and public investment. Agricultural production declined by 1.5 percent due to its vulnerability to changing weather conditions. Inflation remained under control despite fiscal pressures. Unemployment remains high, with official figures topping 40 percent, and other estimates going as high as 80 percent. Job opportunities in Haiti's formal economy remain scarce.

In 2014, Haiti's budget deficit was 5.7 percent of GDP. Much of the deficit was attributed to the poor performance of Electricity of Haiti (EDH), the state-owned public utility company. EDH's deficit was 2.5 percent of GDP in 2014. Another driver of this deficit was the foregone tax revenues from frozen fuel prices from March 2011 to October 2014. External public debt increased significantly from 9 percent of GDP in 2011 to 21 percent of GDP in 2014. Most of this debt was the result of concessional financing from Venezuela through PetroCaribe. Remittances grew by almost 12 percent in 2014 and represent nearly \$2 billion a year.

Haitian exports were up by 3 percent in 2014 from 2013. Apparel exports to the United States account for 90 percent of Haitian exports. Haiti is eligible for duty-free entry of textiles pursuant to CBTPA, the HOPE Act, and the HELP Act (which increased the apparel quotas and extended the CBTPA and the HOPE Act through September 30, 2020). Under the recently-passed Trade

Preferences Extension Act of 2015, these trade preferences were extended to September 30, 2025. According to the Department of Commerce's Office of Textiles and Apparel, total U.S. apparel imports from Haiti increased by 6.3 percent in 2014, reaching over \$854 million.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* Haiti has been a member of the WTO since 1996. Haiti has a relatively open trade regime and has committed to undertaking and fulfilling its WTO obligations. Haiti has the lowest tariffs on many staple crops in the Caribbean, and has, to a large extent, assured the United States that it will provide equitable and reasonable access for U.S. goods and services to its market.

*Protection of Intellectual Property:* No egregious intellectual property violations were found to occur in Haiti. Haiti's most significant laws governing intellectual property protection date from the early-to mid-20th century. Government entities do not, as a matter of policy or general practice, broadcast copyrighted material belonging to U.S. copyright holders without their express consent. Moreover, limited manufacturing capacity, lack of disposable income, and paucity of tourism result in a limited amount of commercial piracy. Weak judicial institutions, however, contribute to poor enforcement of existing laws and the erosion of protections offered by current statutes. In 2014, the U.S. Embassy partnered with the American Chamber of Commerce and the Ministry of Health to launch an IPR campaign centered on counterfeit medicines.

*Provision of Internationally Recognized Worker Rights:* Haiti has incorporated both international norms and domestic policy into its worker rights laws. Haiti has ratified all eight of the ILO core labor conventions. In practice, Haiti faces challenges in enforcing labor laws.

On May 1 2014, Haiti increased the daily minimum wage for salaried workers that classify as "Segment A", from Haitian Gourdes (HTG) 200 (approximately \$3.98) to HTG260 (approximately \$5.18) for an eight hour work day.<sup>12 13</sup> The minimum wage for companies in sectors pertaining to "Segment B", which includes many service sectors, is HTG240 (approximately \$4.78). For companies in sectors pertaining to "Segment C", which includes tourism and agriculture, the minimum wage is HTG225 (approximately \$4.48). Producers employing piece rate workers are required to set the piece rate so that workers can earn a minimum of HTG320 (approximately \$5.98) per day for an eight hour day. Domestic workers must earn a minimum wage of HTG125 (approximately \$2.49). The minimum wage for Segment F, consisting of assembly industries and industries geared towards export, is HTG240. Minimum wage levels and hourly limits were often not effectively enforced, and a recent World Bank report notes that 70 percent of workers in Haiti still earn below minimum wage.<sup>14</sup> Most citizens worked in the informal sector and subsistence agriculture, in which minimum wage legislation does not apply, and daily wages of HTG20 to 30 (approximately \$0.44 to \$0.67) were common.

Haiti must maintain certain requirements related to labor protections to receive benefits under the HOPE II program outlined in Chapter 1. On October 16, 2009, President Obama certified to Congress that Haiti had met the necessary requirements to continue the duty-free treatment

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<sup>12</sup> [http://www.nytimes.com/2014/05/06/world/americas/haiti-minimum-wage-increases.html?\\_r=0](http://www.nytimes.com/2014/05/06/world/americas/haiti-minimum-wage-increases.html?_r=0)

<sup>13</sup> <https://haiti-now.org/wp-content/uploads/2013/01/Salaire-Minimum-2014.pdf>

<sup>14</sup> [http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/06/15/090224b082f3469e/1\\_0/Rendered/PDF/Haiti000Toward0c0country0diagnostic.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/06/15/090224b082f3469e/1_0/Rendered/PDF/Haiti000Toward0c0country0diagnostic.pdf)

provided under HOPE II. Since the President's certification in October 2009, the ILO has established the Better Work program under a grant from the U.S. Department of Labor. Under the program, ILO staff monitor conditions and provide technical assistance in Haiti's garment factories, and issue public reports on compliance with national laws and international standards.

The ILO issued its eleventh biannual "Better Work Haiti" report in October 2015.<sup>15</sup> The report covered 26 Haitian factories for the period of March to August 2015. It noted highest non-compliance rates in the areas of occupational safety and health, compensation, and working time. The report also noted some non-compliance in the areas of freedom of association and collective bargaining, gender discrimination, and contracts and human resources. The majority of participant Haitian apparel factories now have union presence. Better Work Haiti's efforts led to a significant improvement in the area of occupational safety and health in factories.

As outlined in Chapter 1, under HOPE II, the President must identify on a biennial basis producers who have failed to comply with core labor standards, and to seek to assist such producers in complying with core labor standards and related Haitian laws. The President has delegated this authority to the Secretary of Labor, in consultation with the USTR. At the end of 2015, the Secretary of Labor did not issue any formal identifications of non-compliance with core labor standards. While several cases did arise over the two year review period, primarily concerning freedom of association and gender discrimination, these matters were effectively resolved before the end of the identification period.

In 2013, the DOL also awarded a \$1.4 million grant to the ILO for a program to improve the inspection capacity of the Ministry of Labor and Social Affairs (MAST), with the aim of increasing labor law compliance in the Haitian apparel sector.

*Commitments to Eliminate the Worst Forms of Child Labor:* According to the Department of Labor's 2014 Findings on the Worst Forms of Child Labor, some children in Haiti are engaged in the worst forms of child labor, especially in domestic work and agriculture, and criminal prosecution is rare. Though there are programs in place to target child labor, these measures have thus far been insufficient. In 2015, the DOL approved the implementation of a \$9.9 million cooperative agreement to reduce child labor and improve labor rights and working conditions in agriculture in Haiti.

*Counternarcotics Cooperation:* In September 2015, the President identified Haiti as a major drug transit or major illicit drug producing country under the provision of the Foreign Relations Authorization Act. Haiti is not, however, designated as having "failed demonstrably" to make substantial efforts during the prior 12 months to fulfill its obligations under international counternarcotics agreements and conventions. Haiti's inclusion on this list reflects the ongoing challenge it faces in combating narcotics traffic. The governments of the United States and Haiti continue close collaboration on counternarcotics and citizen security. .

The United States through the Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL) maintains a priority focus on building the capacity of the Haitian

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<sup>15</sup> [http://betterwork.org/global/wp-content/uploads/2015/04/Better-Work-Haiti\\_10th-Biannual-Synthesis-Report-Under-the-HOPE-II-Legislation.pdf](http://betterwork.org/global/wp-content/uploads/2015/04/Better-Work-Haiti_10th-Biannual-Synthesis-Report-Under-the-HOPE-II-Legislation.pdf)

National Police (HNP) to provide security for Haitian citizens and ultimately take on full responsibility for nationwide stability, permitting the UN Stabilization Mission in Haiti (MINUSTAH) to withdraw. INL programs also seek to strengthen the corrections and justice sectors and increase counternarcotics capabilities, including addressing drug trafficking and money laundering threats. INL programming aims to address Haiti's law enforcement capacity through training, equipment, technical assistance, and infrastructure improvements, in support of implementation of key parts of the Government of Haiti's 2012-2016 Police Development Plan. INL embeds subject matter advisors, including a counternarcotics expert, in HNP leadership offices to increase the force's administrative capacity. INL also provides a contingent of U.S. police and corrections advisors to MINUSTAH, who work to build capacity of HNP officers. The INL section at Embassy Port-au-Prince includes a director, deputy director, counternarcotics advisor, corrections advisor, police advisor, justice program officer, two contracting officer's representatives, and a government technical monitor, as well as ten local staff members.

The 2015 Presidential Determination notes that in recent years, Haiti has demonstrated serious political will as a regional partner to counter transnational criminal activity. The Haitian government took steps in 2014 to strengthen the (HNP) and its counternarcotics unit (the "Brigade in the Fight Against Narcotics Trafficking," or BLTS) with additional manpower, and officials at the highest levels of government have repeatedly committed to fight drug trafficking. In 2015, INL installed modular infrastructure for the BLTS to house, train, and operate its 19-dog K-9 unit at Cap Haitien and Port-au-Prince airports, and procured two Boston Whaler boats for joint Haitian Coast Guard and BLTS operations. Drug seizures in 2014 and to date in 2015 have not impounded significant amounts, and the government has been unable to secure borders adequately to cut the flow of illegal drugs.

*Implementation of the Inter-American Convention Against Corruption:* Despite being a member of IACAC since 2002, significant corruption is prevalent throughout Haiti and remains an ongoing challenge to economic growth. Haiti is one of the most corrupt countries in the world according to Transparency International's Corruption Perception Index for 2014, ranking 161 out of 174 countries.

*Transparency in Government Procurement:* Haiti was required to strengthen its procurement laws as a condition of debt forgiveness by the IMF and World Bank. The Haitian government succeeded in adopting a new law on public procurement in early 2008. In 2013, the Government of Haiti, with support from the World Bank and Inter-American Development Bank, reviewed its procurement systems and developed an action plan for their reform. In a 2015 report, the Inter-American Development Bank noted its intent to assist Haiti in modernizing its National Procurement System. Haiti is not a signatory to the WTO Agreement on Government Procurement.

Despite large investments made by the U.S. government in post-earthquake development efforts in Haiti, local Haitian companies were poorly prepared to receive or act on this investment. Only about 2 percent or \$4 million of all U.S. spending in 2013 was given to local Haitian companies and organizations, according to a report by USAID Forward. In 2014, President Obama signed the Assessing Progress in Haiti Act, requiring the Secretary of State to provide Congress an annual report on the status of post-earthquake recovery and development efforts in Haiti. This report, in part, aims to increase accountability of U.S. government procurement in Haiti.

*Extradition:* Haiti and the United States are parties to an extradition treaty that entered into force in 1905. Although the Haitian Constitution prohibits the extradition of its nationals, the Government of Haiti has willingly surrendered Haitians and other nationals under indictment in the United States to U.S. law enforcement agencies.

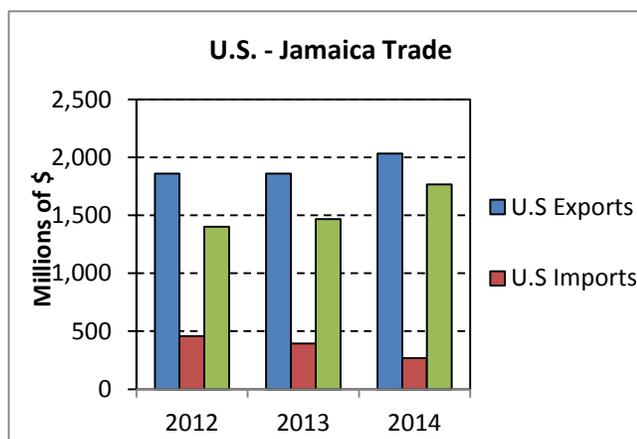
*Self-Help Measures:* Haiti has built many roads, improved security, and held long overdue parliamentary elections since this report was last completed.

## Jamaica

Population: 2,950,210  
 (July 2015 est.)  
 Per Capita GDP: \$8,600 (2014 est.)

*Department of Commerce 2014  
 Trade Statistics*

U.S Exports	\$2,034,548,523
U.S Imports	\$266,832,649
Trade Balance	\$1,767,715,874



*Economic Review:* The Jamaican economy is still recovering from economic contractions with the majority of its growth stemming from the services industry. The Jamaican economy is heavily dependent on services, which account for almost 70 percent of GDP. The country derives most of its foreign exchange from tourism, remittances and bauxite/alumina. Remittances and tourism each account for the equivalent of 15 percent of GDP. Jamaica was severely affected by the global economic crisis, experiencing economic contractions from 2008 to 2010, from which it is still recovering. High energy costs remain a structural impediment to growth, particularly in manufacturing and mining. Crime continues to be a serious issue, and is intricately linked with low economic growth. High unemployment, at 13.2 percent in April 2015, exacerbates the crime problem, including gang violence that is fueled by the drug trade and lottery scamming activities. Seasonal drought has exacerbated already-challenging economic conditions over the last few years.

The IMF approved a four-year, \$932 million Extended Fund Facility for Jamaica in May 2013 with the goal of reducing Jamaica’s public debt from almost 150 percent of GDP in May of 2013 to 96 percent in 2020. Jamaica has performed remarkably well to date, meeting its targets and benchmarks for nine consecutive quarters through September 2015. Structural reforms continue and business confidence has improved, although economic growth remains well below even the modest 2 percent forecasted.

Jamaica has been proactive in promoting its economic development. In addition to a national development plan, Vision 2030, Jamaica developed a strategy in 2011 to generate economic growth. Consultations with development partners subsequently prompted Jamaica to undertake regulatory reforms to attract increased foreign investment. Jamaica’s legislative and economic reforms have helped to improve the country’s investment climate. In August 2015, Jamaica launched the National Export Strategy Phase II for the 2015 to 2019 period, designed to implement an expanded and diversified export base. Jamaica will host Expo Jamaica 2016, a biannual event, to promote Jamaican products for international buyers, while the second Jamaica Investment

Forum in March 2015 targeted foreign individuals and enterprises interested in investing in Jamaica.

Jamaica has been a major proponent of regional economic integration and was among the first to reduce duties on goods from CARICOM countries. The country remains the largest recipient of CARICOM goods, importing over \$750 million from its regional partners in 2014. With the country exporting \$81 million to other CARICOM states, it has a trade deficit of just under \$700 million. This represents a steady decline from the \$1.3 billion recorded in 2008. Jamaica's current administration has recommitted to the integration process and has encouraged its private sector to utilize the trade component of the Caribbean Court of Justice to address barriers to trade. However, frequent disagreements suggest a region splintering into new interregional relationships, driven by differing levels of development among CARICOM states and growing signs of protectionism and insularity.

The Trade Board, a government agency, is responsible for promoting use of the CBERA program. The agency remains concerned about the underutilization of the program and attributes this to supply side constraints.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* Jamaica, as a WTO member since 1995, has agreed to provide equitable and reasonable access to goods from the United States and other WTO Members. Jamaica has generally demonstrated its commitment to undertake its WTO obligations, including its intention to accept the Trade Facilitation Agreement.

*Protection of Intellectual Property:* Jamaica has demonstrated a willingness to adopt various measures to protect intellectual property. In addition to being a member of the WIPO and a signatory of the Berne Convention, Jamaica and the United States have an IPR agreement and a bilateral investment treaty, which provide assurances to protect intellectual property. However, Jamaica has been on the Special 301 Watch List since 1998 because of concerns about Jamaica's compliance with the TRIPS Agreement. The 2015 Special 301 Report cited Jamaica as one of several Caribbean countries with deficiencies related to copyright protection and enforcement.

Jamaica passed new copyright legislation in 2015, giving effect to the provisions of the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT) to which Jamaica became a party in 2002. The new legislation extends protection from 50 to 95 years on works ranging from books and music to computer programs. Jamaica's copyright enforcement record has been improving, with law enforcement making routine arrests for copyright infringements. There are also ongoing public relations campaigns targeting members of the public who violate copyright laws.

Jamaica has taken some steps to ensure that its regulatory agencies are monitoring broadcasting entities. The Special 301 Report also mentions U.S. concerns with Jamaica's failure to enact the Patents and Designs Act, which would satisfy Jamaica's obligations under the TRIPS Agreement. Draft patent legislation is currently under review by the Chief Parliamentary Council of Jamaica.

Jamaica has implemented various acts addressing the protection of intellectual property. The Trademark Act of 1999 provides owners of registered trademarks exclusive rights for up to 10 years, with the option to renew the rights. The Layout Designs Act, in effect since June 1999, provides protection for layout designs for integrated circuits and gives right-owners the exclusive right to reproduce, import, sell, or otherwise commercially exploit the layout design. A Geographical Indications Act was passed in 2004, and protection for trade secrets is provided under Jamaican commercial law.

*Provision of Internationally Recognized Worker Rights:* Jamaica has incorporated both international norms and domestic policy into its worker rights laws and has ratified all eight of the ILO core labor conventions. Worker rights in Jamaica are defined and protected under the Labor Relations and Industrial Disputes Act, with the Industrial Disputes Tribunal (IDT) hearing collective bargaining cases. Workers generally enjoy full rights of association, as well as the right to organize and bargain collectively. The Child Care and Protection Act establishes the minimum age for employment at 15, but Jamaica has not adopted the Occupational Safety and Health Act that would introduce a comprehensive list of prohibition on hazardous work for children. The Child Care and Protection Act also allows children ages 13 to 14 to engage in light work; however, the list of occupations and hours considered light work has not been finalized by the government.

According to the 2015 State Department Human Rights Report, the minimum wage was \$45 per week for all workers. The law provides for a standard 40-hour workweek and mandates at least one day of rest per week. Work in excess of 40 hours per week or eight hours per day must be compensated at overtime rates, a provision employers generally respected. The law, however, does not prohibit extra compulsory overtime.

*Commitments to Eliminate the Worst Forms of Child Labor:* According to the Department of Labor's 2014 Findings on the Worst Forms of Child Labor, Jamaica made moderate advancement in eliminating the worst forms of child labor in 2014. Still, children are engaged in child labor such as street work, and are also engaged in the worst forms of child labor, including in commercial sexual exploitation. Although the government has laws prohibiting the use of children in some illicit activities, it does not prohibit the use of children for drug trafficking and production. The formal institutional mechanism for investigating allegations of mistreatment of children is the Child Development Agency.

*Counternarcotics Cooperation:* Jamaica has met the U.S. counternarcotics certification criteria under the Foreign Assistance Act of 1961. The U.S. supports counternarcotics projects in Jamaica designed to increase the capacity of its law enforcement agencies. Jamaica continues to be a major transit point for cocaine, and remains the largest Caribbean producer and exporter of marijuana. While Jamaica is listed in the 2008 Presidential Determination as a major illicit drug producing or drug transit country, it has worked with the U.S. to combat drug trafficking. Therefore, it has not been identified by the President as having failed to cooperate within the terms of the FAA.

*Implementation of the Inter-American Convention Against Corruption:* Jamaica ratified the IACAC in March 2001 and became a party to the UN Convention Against Corruption in March 2008. Jamaica's Corruption Prevention Commission (CPC) requires the reception and examination of statutory declarations of public sector workers and investigates complaints

regarding corruption where necessary. To date, there has been little enforcement, as the CPC lacks the capacity to enforce the filing of declarations. A new Integrity Commission Bill is currently being debated by a joint select committee of the Jamaican Parliament. The bill would create a national anti-corruption agency, by combining the CPC with the Office of the Contractor General and the Integrity Commission, to investigate reports of corruption in public procurements, oversee the statutory financial declarations of both civil servants and parliamentarians, and prosecute cases.

*Transparency in Government Procurement:* The Government of Jamaica has comprehensive public procurement procedures, which are enforced by the Contractor General. Public procurement is generally conducted through open tenders or direct advertising, or by invitation to registered suppliers. U.S. firms are eligible to bid. New procurement legislation was passed in July 2015, which will guide and regulate government procurement practices. Jamaica is not a signatory of the WTO Agreement on Government Procurement.

*Nationalization/Expropriation:* Jamaica has nationalization and expropriation laws in place. Property rights are protected under Section 18 of the Jamaican Constitution. The Land Acquisition Act allows government expropriation of land, but requires that compensation be paid based at market value. Although the Act allows for expropriating land prior to payment, landowners are entitled to accrue interest on the monies they are owed for the period between government expropriation and final payment.

*Preferential Treatment:* Jamaica is a party to the Economic Partnership Agreement with the European Union. However, there are no known cases of preferential treatment of products of a developed country that have adversely affected U.S. commerce.

*Arbitral Awards:* Jamaica has been a signatory to the International Center for Settlement of Investment Disputes (ICSID) since 1965. Commercial disputes that are not resolved in the local courts may be brought to arbitration under the ICSID. ICSID awards are enforceable by the Jamaican courts, which enforce property and contractual rights through four statutes.

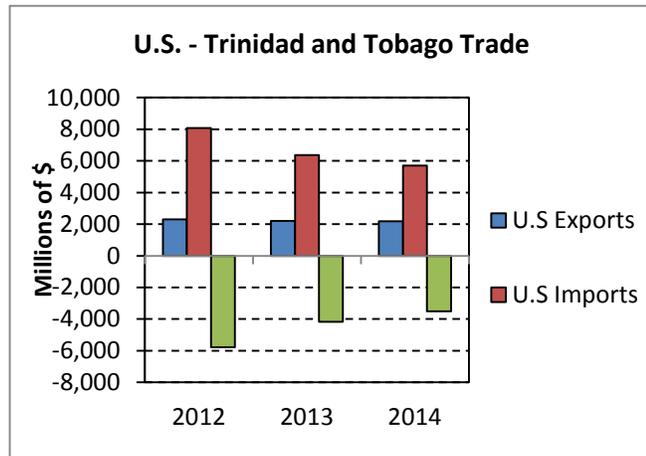
*Extradition:* Jamaica is a signatory to both a Mutual Legal Assistance Treaty and an Extradition Treaty regarding U.S. citizens, Jamaicans, and third-country nationals.

## Trinidad and Tobago

Population: 1,222,363  
(July 2015 est.)  
Per Capita GDP: \$32,200 (2014 est.)

*Department of Commerce 2014  
Trade Statistics*

U.S Exports	\$2,178,659,579
U.S Imports	\$5,693,017,038
Trade Balance	\$-3,514,357,459



*Economic Review:* Trinidad and Tobago attracts considerable FDI from international businesses in the energy sector and has one of the highest per capita incomes in Latin America. The United States is Trinidad and Tobago's largest trading partner, accounting for 33 percent of its total imports and taking 44 percent of its exports.

Energy exploration and production drive the economy of Trinidad and Tobago. Oil and gas account for about 40 percent of GDP and 80 percent of exports, but only 5 percent of employment. In 2013, Trinidad and Tobago was the world's sixth-largest liquefied natural gas (LNG) exporter and is home to one of the largest natural gas processing facilities in the Western Hemisphere. Both downstream industry and the LNG exporter (Atlantic) are facing gas shortages, but the government has been working to increase production by opening bid rounds and providing fiscal incentives for investments in on-shore and deep water acreage to boost oil reserves and production. Declines in oil and gas prices have reduced government revenues, challenging the government's ability to maintain public spending, which has increased over the past several years. Diversifying Trinidad and Tobago's economy is a critical medium-term challenge.

*Commitment to Undertake WTO Obligations and Participate in Negotiations Toward the FTAA or Another FTA:* Trinidad and Tobago has been a member of the WTO since 1995 and is an active participant in the regional economic entity CARICOM. As a member of CARICOM, it supported the Trade Investment Framework Act that was signed with the United States in 2013. It has also ratified the Trade Facilitation Agreement, which will enter into force once ratified by two-thirds of the WTO's 161 members.

*Protection of Intellectual Property:* Trinidad and Tobago has a formal legal regime in place to protect intellectual property, although it is under-enforced. Applying the available enforcement procedures is not a top concern of either law enforcement or international businesses, so there is limited awareness or enforcement of intellectual property violations.

Since 2013, Trinidad and Tobago has been on the Special 301 Report's Country Watch List, after a multi-stakeholder process determined it does not provide adequate protection or enforcement of intellectual property rights (IPR) or market access for persons relying on IPR protections. The report focuses on music royalties.

One recent positive development is that the Trinidad and Tobago Telecommunications Authority has ordered cable companies to remove 16 channels from their lineups for which no licensing agreement exists by the end of December 2015. However, the overall lack of effective protection of IPR remains pervasive. Government-owned broadcast entities are not known to broadcast U.S. copyrighted material without the express consent of the copyright-holder, but most broadcasting is not government-controlled.

Trinidad and Tobago does not track and report on the seizures of counterfeit goods. Private rights holders seldom investigate or pursue claims in Trinidad and Tobago due to the country's small size and slow court system. The local reprographic rights organization claims the country's largest universities and government ministries fail to pay for reprographic rights.

*Provision of Internationally Recognized Worker Rights:* Trinidad and Tobago has incorporated both international norms and domestic policy into its worker rights laws and has ratified all eight of the ILO core labor conventions. The Industrial Relations Act (IRA) provides that all workers, including those in state-owned enterprises, may form and join unions of their own choosing without prior authorization. The IRA provides for the mandatory recognition of a trade union when it represents 51 percent or more of the workers in a specified bargaining unit. Currently, an estimated 20 percent of the work force is organized in approximately 25 active unions. Most unions are independent of government or political party control, although the All Trinidad Sugar and General Workers' Union has historically been allied with the United National Congress (UNC) political party. A union also may bring a request for enforcement to the Industrial Court, which may order employers found guilty of anti-union activities to reinstate workers and pay compensation, or impose other penalties including imprisonment.

The law allows unions to conduct their activities without interference, to participate in collective bargaining, and to strike. In practice, the Government of Trinidad and Tobago ensures these rights are protected. By law, "essential services" employees, such as police and teachers, do not have the right to strike. Instead, union leaders organize "sick-outs" for such employees during labor disputes. The teachers' unions have staged this type of protest several times in years past. The ILO has recommended that Trinidad and Tobago amend the legislation to narrow the definition of "essential services," though no legislation of this type has been passed.

The highest profile labor action this year was a widespread stop and search operation carried out by the country's police in March. The action inconvenienced hundreds of thousands of people as all the roads into the Port of Spain were gridlocked for up to three hours, causing schools to close and delaying flights. The police actions were a protest over the slow pace of salary negotiations with the government.

The Trinidad and Tobago Constitution prohibits forced labor, as does the 2011 Trafficking in Persons Act. Wages and salaries vary considerably between industries in Trinidad and Tobago. The Minimum Wages Act of 2010 empowers the Minister of Labor to make minimum wage orders

in relation to specific trades. The minimum hourly wage (exclusive of gratuities, service charges and commissions) was raised recently from TT\$12.50 to TT\$15.00 (approximately \$1.95 to \$2.34), effective January 1, 2015. Industry-specific orders govern relations to employees in the restaurant, catering, petrol station, security, shop, and household assistant trades. Under the Minimum Wages Act and Minimum Wages Order, the normal working hours exclusive of meals and rest breaks are eight hours per day or forty hours per week. Employees who are required to work beyond the normal hours are entitled to overtime, calculated in accordance with a formula outlined in the Order. The Ministry of Labor and Small and Micro Enterprise Development is responsible for enforcing laws related to acceptable conditions of work. The Occupational Safety and Health Agency enforces occupational health and safety standards. The government sets occupational health and safety regulations that apply to all workers, regardless of citizenship. Foreign laborers brought into the country are generally protected by local labor laws through a stipulation in their labor contract.

The President partially proclaimed the Children Act on May 18, 2015 in an effort to strengthen legislative frameworks protecting the rights of children. This act also prohibits child labor. Exploitation of child labor in Trinidad and Tobago is not a widespread problem. In 2004, the government ratified ILO Convention 138, and in 2007, introduced the Miscellaneous Provisions (Minimum Age for Admission to Employment) Act, which declared the minimum age for employment at 16 years of age. However, current legislation does not establish a clear minimum age for hazardous work. The Government has not developed legislation on the prohibition of hazardous occupations and activities for children. The Ministry of Labor and Small and Micro Enterprise Development, is responsible for enforcing child labor laws.

The U.S. Embassy in Trinidad and Tobago continues to receive anecdotal reports of forced labor in sectors such as domestic work and fishing, but the International Labor Organization received no formal reports of forced labor during the year.

*Commitments to Eliminate the Worst Forms of Child Labor:* Although the problem does not appear to be widespread, there is evidence that children are engaged in child labor, including in agriculture, and the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, though there were no confirmed cases last year. In 2014, labor inspectors attended special workshop that contained a special focus on child trafficking and the commercial sexual exploitation of children.

Trinidad and Tobago has recently passed several pieces of legislation and is in the process of implementing its commitments to eliminate the worst forms of child labor. The Children's Authority of Trinidad and Tobago, which is mandated to protect children's rights by the Children's Authority Act of 2000 and the Children's Authority (Amendment) Act of 2008, became fully operational in early 2015. In January 2013, the Trinidad implemented the Trafficking in Persons Act, which criminalizes human trafficking. Provisions of that law address forms of exploitative child labor. However, the Government has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

*Counternarcotics Cooperation:* While corruption and gaps in legislative and organizational implementation limit counternarcotic efforts, Trinidad and Tobago continues to adhere to its obligations under international counternarcotic agreements and to take the measures set forth in

U.S. law. The Government of Trinidad and Tobago regularly interfaces with local, regional, and international organizations, demonstrating commitment to drug control through bilateral cooperation and intelligence sharing with countries of origin, transit, and destination.

The government continues to work with the Caribbean Financial Action Task Force (CFATF) to address the full range of anti-money laundering and to combat the financing of terrorism. In 2014, Trinidad and Tobago improved its criminal asset forfeiture mechanism, allowing the prosecution of Anti-Money Laundering/Combating the Financing of Terrorism crimes as standalone offences. This change superseded the previous requirement of first proving the criminal origins of the proceeds.

*Implementation of the Inter-American Convention Against Corruption:* Trinidad and Tobago signed and ratified the IACAC in 1998. Bribes are not regularly paid to facilitate routine operations; however, reports of institutional corruption by law enforcement and large businesses are common in public fora and private meetings with government, the private sector, civil society, and the press. Allegations seldom work through the legal system, resulting in a scarcity of cases with legal outcomes, but public discourse centers on whether corruption is so endemic that Trinidad and Tobago should accept it as standard practice.

In 2000, the government established an Integrity Commission to detect corrupt or dishonest practices and to enforce compliance with the Integrity and Public Life Act (IPLA) 2000. While the commission has undertaken numerous investigations, it seldom refers cases to law enforcement authorities. The Integrity Commission annually lists in the newspapers public officials who fail to publicly list their assets, as is required by the Integrity in Public Life Act. Prosecution of those officials who refuse to comply, however, has been very limited.

*Transparency in Government Procurement:* Issues regarding transparency in government procurement are an obstacle though not prohibitive in securing contracts in Trinidad and Tobago. U.S. companies have secured government service contracts in recent years, however; U.S. firms have identified non-transparent procedures as an obstacle to FDI, especially in government procurement. Public tenders are often open for only a few days, or contracts are awarded outside the tender process. Procurement legislation that would address their concerns has recently passed Parliament but is not yet in force. The government is not a party or observer to the WTO Government Procurement Agreement.

*Preferential Treatment:* Trinidad and Tobago does not afford preferential treatment to the products of any developed country, but affords preferential treatment to all goods from CARICOM members. At this time, the United States does not have suggesting that this significantly affects U.S. commerce.

*Arbitral Awards:* Trinidad and Tobago signed the New York Convention on the Recognition of Arbitral Awards in 1966. There are no reports of the government failing to recognize an arbitral award in favor of U.S. citizens.

*Extradition:* The United States and Trinidad and Tobago have signed a bilateral Extradition Treaty and Mutual Legal Assistance Treaty in Criminal Matters. Both treaties were signed on March 4, 1996, and ratified soon thereafter.

*Market Access/WTO Rules:* The United States and Trinidad and Tobago concluded a bilateral investment treaty in 1994. U.S. consumer and manufacturing goods are readily available on the local market.

*Export Subsidies:* Trinidad and Tobago does not provide export subsidies, nor does it impose trade-distorting export performance or local content requirements. Furthermore, the bilateral investment treaty between the United States and Trinidad and Tobago prohibits performance requirements as a condition for investment.

In 2004, Trinidad and Tobago appointed a Permanent Local Content Committee that liaises with the Work Permit Committee of the Ministry of Energy and Energy Industries to ascertain the national requirements in the areas of recruitment, training, and the development of local staff and also the transfer of technology to service the energy sector. The Committee additionally monitors the infrastructure needs, such as gas, water, electricity, fabrication yards, and industrial estates that will facilitate and improve local content capability.

*Contribution to Regional Revitalization:* The Government of Trinidad and Tobago has taken the lead in implementing the CARICOM Single Market Economy (CSME). It was one of six signatory countries at the official launch of the CSME on January 1, 2006.

*Self-Help Measures:* Trinidad and Tobago must diversify its economy in order to achieve long-term sustainability. Despite diversification being a focus of politicians for decades, the absence of concrete results could be the result of endemic corruption diverting resources or a personality driven and racially divided political process that deprioritizes substantive engagement.

Additionally, concerns have been raised about Trinidad and Tobago's macroeconomic policy. Although Trinidad and Tobago has significant foreign currency reserves that exceed the country's annual budget, U.S. companies and Trinidad and Tobago-based chambers of commerce complain of significant delays in accessing foreign exchange. This has hurt the credit terms of Trinidad and Tobago's businesses and has forced U.S. firms to consider limiting sales into the market.

*Cooperation in the Administration of the CBERA:* While Trinidad and Tobago benefits from CBERA and CBTPA, the U.S. Embassy has not had direct involvement with Trinidad and Tobago's government in administering the programs. While some of Trinidad and Tobago's main exports would have grown with or without CBI (such as LNG and ammonia, which enter the U.S. duty-free under MFN), CBERA preferences have clearly been critical to the success of other exports, like methanol, ethanol, and some manufactured goods.



## Summary of Public Comments

One organization responded to the Trade Policy Staff Committee's solicitation of comments from the public in connection with preparation of this report. The notice and solicitation of comments was published in the *Federal Register* of August 12, 2015. The full text of this submission is available for review at the *Regulations.gov* Web site, under docket number USTR-2015-0008-0001.

### *American Society of Composers Authors and Publishers*

The American Society of Composers Authors and Publishers (ASCAP) is the oldest and largest U.S. performing rights organization (PRO). ASCAP licenses, on behalf of composers, songwriters, and music publisher members, the right to perform publicly copyrighted musical works. ASCAP said that the cable television operators in Antigua and Barbuda, Barbados, Belize, Dominica, Grenada, Jamaica, St. Lucia, St. Vincent and the Grenadines, and Trinidad and Tobago broadcast U.S. musical works without a license. ASCAP also said that U.S. musical works are also publicly performed in radio and television broadcasts throughout the Caribbean without obtaining licenses from the relevant performing rights organizations.

## Appendix 1

**Appendix 1: U. S. Imports from CBI Countries by Selected Import Programs, 2012-2014 and January-August 2014 and 2015**

Country	Import Program	2012		2013		2014		2014 January - August		2015 January - August	
		Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total
Antigua and Barbuda	CBERA	30	0.3	24	0.3	19	0.2	10	0.1	0	0
	GSP	0	0	0	0	0	0	0	0	0	0
	Otherwise duty-free	9,354	97.3	8,172	96.5	7,683	97.7	6,325	97.8	5,259	98.3
	Dutiable imports	228	2.4	274	3.2	164	2.1	130	2	89	1.7
	Total	9,614	100	8,471	100	7,866	100	6,465	100	5,349	100
Aruba	CBERA	27	0	18	0	75	0.1	21	0	92	0.5
	GSP	0	0	0	0	0	0	0	0	0	0
	Otherwise duty-free	55,431	7.4	33,027	76.9	60,025	85.4	46,580	99.6	14,408	82.9
	Dutiable imports	691,182	92.6	9,913	23.1	10,185	14.5	165	0.4	2,888	16.6
	Total	746,640	100	42,958	100	70,285	100	46,766	100	17,388	100
Bahamas	CBERA	130,539	24.9	141,654	24.8	158,191	29.8	105,125	30.6	64,183	20.3
	GSP	0	0	0	0	0	0	0	0	0	0
	Otherwise duty-free	340,387	64.9	335,254	58.6	259,514	48.9	197,414	57.6	191,916	60.7
	Dutiable imports	53,551	10.2	94,731	16.6	113,014	21.3	40,476	11.8	60,213	19
	Total	524,476	100	571,639	100	530,719	100	343,016	100	316,311	100
Barbados	CBERA	3,813	7.1	2,081	3.8	5,295	10.7	1,309	4.2	18,943	38.5
	CBTPA	0	0	0	0	0	0	0	0	0	0
	GSP	0	0	0	0	0	0	0	0	0	0
	Otherwise duty-free	48,537	90.1	52,345	95.1	43,754	88	29,110	94.5	29,842	60.6
	Dutiable imports	1,549	2.9	611	1.1	661	1.3	399	1.3	465	0.9
	Total	53,900	100	55,037	100	49,710	100	30,818	100	49,249	100
Belize	CBERA	30,321	18.9	26,627	19.8	33,306	34.4	26,624	34.7	29,582	58.4

Country	Import Program	2012		2013		2014		2014 January - August		2015 January - August	
		Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total
	CBTPA	101,622	63.4	78,150	58.2	27,276	28.1	27,276	35.6	0	0
	GSP	1,668	1	812	0.6	585	0.6	500	0.7	1,175	2.3
	Otherwise duty-free	26,015	16.2	27,504	20.5	33,243	34.3	20,364	26.6	18,368	36.2
	Dutiable imports	782	0.5	1,195	0.9	2,529	2.6	1,898	2.5	1,546	3.1
	Total	160,407	100	134,288	100	96,939	100	76,661	100	50,672	100
British Virgin Islands	CBERA	451	3.4	103	1.6	50	0.5	50	2.5	0	0
	GSP	0	0	0	0	0	0	0	0	0	0
	Otherwise duty-free	10,319	76.9	4,262	67.7	9,813	91.8	1,521	76.7	5,532	82.5
	Dutiable imports	2,647	19.7	1,932	30.7	831	7.8	413	20.8	1,177	17.5
	Total	13,417	100	6,297	100	10,694	100	1,984	100	6,709	100
Curaçao	CBERA	0	0	0	0	0	0	0	0	0	0
	GSP	0	0	0	0	0	0	0	0	0	0
	Otherwise duty-free	0	0	0	0	48,971	98.7	33,277	98.6	34,134	98.8
	Dutiable imports	0	0	0	0	629	1.3	460	1.4	413	1.2
	Total	0	0	0	0	49,600	100	33,737	100	34,547	100
Dominica	CBERA	117	6.7	170	6.6	66	4.4	53	4.5	28	2.5
	GSP	38	2.2	4	0.2	25	1.7	25	2.2	0	0
	Otherwise duty-free	1,501	86.1	2,326	90	1,303	87.2	998	85.9	995	88.6
	Dutiable imports	88	5.1	84	3.2	100	6.7	86	7.4	100	8.9
	Total	1,745	100	2,584	100	1,494	100	1,162	100	1,123	100
Grenada	CBERA	341	4.1	295	3.1	443	4.6	177	2.2	789	12.3
	GSP	13	0.2	0	0	0	0	0	0	3	0
	Otherwise duty-free	7,560	91	8,491	89.7	8,633	88.9	7,556	92.4	5,211	81.5
	Dutiable imports	393	4.7	677	7.2	637	6.6	448	5.5	387	6.1
	Total	8,308	100	9,463	100	9,713	100	8,182	100	6,390	100

Country	Import Program	2012		2013		2014		2014 January - August		2015 January - August	
		Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total
Guyana	CBERA	328	0.1	456	0.1	8,177	1.7	3,982	1.3	29,763	9.7
	CBTPA	4,987	1	4,076	0.9	3,680	0.7	2,353	0.8	1,645	0.5
	GSP	1,914	0.4	824	0.2	74	0	6	0	1,206	0.4
	Otherwise duty-free	506,141	98.2	452,117	98.2	478,062	97.2	304,466	97.6	274,275	89.1
	Dutiable imports	1,804	0.4	2,752	0.6	1,866	0.4	1,285	0.4	972	0.3
	Total	515,175	100	460,225	100	491,860	100	312,092	100	307,861	100
Haiti	CBERA	12,591	1.6	18,609	2.3	19,221	2.1	17,109	2.9	18,213	2.8
	CBTPA	424,192	54.8	343,658	42.4	386,174	43.1	252,042	43.3	294,606	45.2
	GSP	473	0.1	433	0.1	117	0	99	0	146	0
	HOPE Acts	305,986	39.5	422,110	52.1	451,516	50.3	286,422	49.2	314,164	48.2
	Otherwise duty-free	27,003	3.5	21,260	2.6	32,741	3.6	22,927	3.9	21,418	3.3
	Dutiable imports	3,828	0.5	3,518	0.4	7,263	0.8	3,978	0.7	3,318	0.5
	Total	774,074	100	809,588	100	897,033	100	582,577	100	651,866	100
Jamaica	CBERA	206,196	45.1	90,231	22.9	71,768	26.9	42,008	24.6	53,833	26.6
	CBTPA	5	0	0	0	0	0	0	0	0	0
	GSP	9,983	2.2	14,270	3.6	481	0.2	286	0.2	508	0.3
	Otherwise duty-free	193,639	42.4	239,878	60.9	189,309	70.9	125,262	73.2	144,365	71.4
	Dutiable imports	46,869	10.3	49,220	12.5	5,275	2	3,538	2.1	3,515	1.7
	Total	456,693	100	393,597	100	266,833	100	171,096	100	202,221	100
Montserrat	CBERA	24	1.3	0	0	0	0	0	0	0	0
	GSP	5	0.3	0	0	0	0	0	0	0	0
	Otherwise duty-free	1,347	74.5	2,441	91.3	357	52.5	319	51.8	489	68.9
	Dutiable imports	433	23.9	233	8.7	323	47.5	297	48.2	221	31.1
	Total	1,809	100	2,674	100	680	100	616	100	711	100
Panama	CBERA	26,071	5.5	0	0	0	0	0	0	0	0

Country	Import Program	2012		2013		2014		2014 January - August		2015 January - August	
		Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total
(FTA entered into force 10/31/12)	CBTPA	238	0.1	0	0	0	0	0	0	0	0
	GSP	23,754	5	0	0	0	0	0	0	0	0
	Otherwise duty-free	414,884	87.4	0	0	0	0	0	0	0	0
	Dutiable imports	9,745	2.1	0	0	0	0	0	0	0	0
	Total	474,691	100	0	0	0	0	0	0	0	0
St. Kitts and Nevis	CBERA	22,350	39.3	18,933	34.9	18,341	32.8	13,855	35.8	9,314	22.8
	GSP	198	0.3	192	0.4	0	0	0	0	0	0
	Otherwise duty-free	29,202	51.3	29,017	53.5	28,133	50.2	20,585	53.2	20,156	49.3
	Dutiable imports	5,121	9	6,095	11.2	9,516	17	4,269	11	11,430	27.9
	Total	56,871	100	54,237	100	55,990	100	38,709	100	40,899	100
St. Lucia	CBERA	1,836	12.1	3,210	19.4	1,162	7.6	807	7.7	747	5.7
	GSP	33	0.2	6	0	5	0	5	0	0	0
	Otherwise duty-free	7,658	50.5	9,006	54.5	8,229	53.9	5,961	57	7,089	53.7
	Dutiable imports	5,646	37.2	4,308	26.1	5,870	38.5	3,691	35.3	5,367	40.6
	Total	15,173	100	16,530	100	15,266	100	10,463	100	13,203	100
St. Vincent and the Grenadines	CBERA	138	5.9	141	4.9	182	13.2	138	14.2	4	0.3
	GSP	0	0	0	0	3	0.2	0	0	11	0.9
	Otherwise duty-free	2,138	91.8	2,627	91	1,136	82.4	794	81.6	1,133	93
	Dutiable imports	54	2.3	120	4.2	57	4.2	40	4.2	71	5.8
	Total	2,330	100	2,888	100	1,379	100	973	100	1,218	100
Trinidad and Tobago	CBERA	1,068,860	13.2	1,214,796	19.1	1,067,470	18.8	765,253	19.7	516,610	16.6
	CBTPA	1,102,336	13.6	425,913	6.7	167,004	2.9	155,156	4	104,602	3.4
	GSP	0	0	0	0	0	0	0	0	0	0

Country	Import Program	2012		2013		2014		2014 January - August		2015 January - August	
		Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total
	Otherwise duty-free	4,133,402	51.2	3,752,180	58.9	3,633,180	63.8	2,454,357	63.3	2,253,432	72.4
	Dutiable imports	1,771,880	21.9	973,458	15.3	825,363	14.5	502,422	13	236,710	7.6
	Total	8,076,480	100	6,366,347	100	5,693,017	100	3,877,188	100	3,111,353	100
All CBI Countries	CBERA	1,503,692	12.98	1,517,053	17.82	1,383,323	17.74	976,344	18.58	741,312	16.47
	CBTPA	1,633,380	14.10	851,797	10.00	584,134	7.49	436,827	8.31	400,853	8.90
	GSP	38,079	0.33	16,541	0.19	1,290	0.02	921	0.02	3,049	0.07
	Otherwise duty-free	5,814,518	50.19	4,979,907	58.49	4,844,086	62.13	3,277,816	62.36	3,028,022	67.26
	Dutiable imports	2,595,800	22.41	1,149,121	13.50	984,283	12.62	563,995	10.73	328,882	7.31
	Total	11,585,469	100.00	8,514,419	100.00	7,797,116	100.00	5,255,903	100.00	4,502,118	100.00

<sup>1</sup> Imports for consumption, customs value.

<sup>2</sup> Values for U.S. trade with CBERA countries include individual country trade data only for the months in the period during which those countries were eligible for CBERA benefits. Curaçao was designated a CBERA beneficiary effective January 1, 2014. Panama exited CBERA when the U.S.-Panama TPA entered into force on October 31, 2012.

<sup>3</sup> CBTPA-eligible countries currently consist of Barbados, Belize, Curaçao, Guyana, Haiti, Jamaica, St. Lucia, and Trinidad and Tobago. Curaçao was designated a CBTPA beneficiary on August 18, 2015. Panama was a CBTPA country until October 31, 2012.

Source: Compiled from official statistics of the U.S. Department of Commerce (USDOC) (accessed October 26, 2015). Data reflect all official USDOC revisions for 2010–14 as of this date.