

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



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## Abbreviations and Acronyms

<b>Acronyms</b>	<b>Term</b>
AML	Anti-Money Laundering
BERT	Barbados Economic Recovery and Transformation
CAFTA-DR	Central America-United States-Dominican Republic Free Trade Agreement
CARICOM	Caribbean Community
CARIFORUM	Caribbean Forum
CBERA	Caribbean Basin Economic Recovery Act
CBI	Caribbean Basin Initiative
CBP	U.S. Customs and Border Protection
CBSI	Caribbean Basin Security Initiative
CBTPA	Caribbean Basin Trade Partnership Act
CCJ	Caribbean Court of Justice
CFT	Countering the Financing of Terrorism
COVID-19	Coronavirus Disease
DEA	U.S. Drug Enforcement Agency
DOL	U.S. Department of Labor
ECCU	Eastern Caribbean Currency Union
EITI	Extractive Industry Transparency Initiative
EPA	Economic Partnership Agreement
EU	European Union
FATF	Financial Action Task Force
FDI	Foreign Direct Investment
FTA	Free Trade Agreement
GDP	Gross Domestic Product
GPA	WTO Agreement on Government Procurement
GRENLEC	Grenada Electricity Services Ltd
GSP	Generalized System of Preferences
GTC	General Tenders Committee
HELP Act	Haiti Economic Lift Program Act of 2010
HOPE Acts	HOPE I and HOPE II (see below)
HOPE I	Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006
HOPE II	Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008
HPAI	Highly Pathogenic Avian Influenza
HS	Harmonized System (global tariff schedule)
HTS	Harmonized Tariff Schedule of the United States
IACAC	Inter-American Convention against Corruption
ICSID	International Center for Settlement of Investment Disputes
ILO	International Labour Organization
IMF	International Monetary Fund
INCSR	International Narcotics Control Strategy Report

<b>Acronyms</b>	<b>Term</b>
INL	Bureau of International Narcotics and Law Enforcement (U.S. Department of State)
IP	intellectual property
MFN	Most-Favored-Nation
MLAT	Mutual Legal Assistance Treaty
NAMLC	National Anti-Money Laundering Committee
NCODC	National Council on Drug Control
NRF	Natural Resource Fund
NTR	Normal Trade Relations (U.S. term; same as MFN elsewhere)
OAS	Organization of American States
OECS	Organization of Eastern Caribbean States
OPBAT	Operation Bahamas, Turks and Caicos
SIDS	Small Island Developing States
SOE	State-owned enterprise
TAICNAR	Technical Assistance Improvement and Compliance Needs Assessment and Remediation
TDA	Trade and Development Act of 2000
TFA	WTO Trade Facilitation Agreement
TIFA	Trade and Investment Framework Agreement
TIN	Taxpayer Identification Number
TIP	Trafficking in Persons
TPEA	Trade Preferences Extension Act of 2015
TRIMs	The Agreement on Trade-Related Investment Measures
TRIPS	Trade-Related Aspects of Intellectual Property Rights Agreement
UN	United Nations
USAF	U.S. Air Force
USAID	U.S. Agency for International Development
USD	U.S. Dollar
USDOC	U.S. Department of Commerce
USITC	U.S. International Trade Commission
USMCA	United States-Mexico-Canada Agreement
USTR	Office of the U.S. Trade Representative
VSD	Veterinary Services Division (Jamaica)
WIPO	World Intellectual Property Organization (United Nations)
WTO	World Trade Organization

## Executive Summary

The U.S. trade preferences programs for the Caribbean and Central American region were launched in 1983 by the Caribbean Basin Economic Recovery Act (CBERA) and are known collectively as the Caribbean Basin Initiative (CBI). As of 2023, the CBI provides 17 countries and dependent territories with duty-free access to the U.S. market for most goods. CBI benefits were expanded through the 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. Combined with economic reform and other actions taken by beneficiary countries<sup>1</sup> to liberalize their trade regimes, the trade benefits of the CBI have both helped beneficiary countries and dependent territories in the region diversify their exports and have contributed to their economic growth.

CBI exporters from certain eligible countries and 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, were designed to advance U.S. policy objectives supported by Congress and past administrations. In 2022, CBI beneficiary countries supplied \$11.6 billion of U.S. imports, ranking 26th among U.S. import suppliers.<sup>2</sup> U.S. imports from CBI beneficiaries steadily grew from \$5.1 billion in 2020 to \$8.7 billion in 2021 and \$11.6 billion in 2022, which represented an increase of 70.5 percent and 33.7 percent, respectively. This is largely attributed to economic recovery following the height of the COVID-19 pandemic.

U.S. imports under the CBI tariff preferences increased to \$1.9 billion in 2022, from \$1.4 billion in 2021 and \$1.2 billion in 2020. The increase in 2022, 34.0 percent, was preceded by an increase of 16.7 percent in 2021. The rise in 2022 was primarily driven by a higher value of U.S. imports of petroleum products—from Trinidad and Tobago, Guyana, Jamaica, and Curaçao—achieving \$940.2 million in 2022, up from \$547.4 million in 2020 or an increase of 71.7 percent.

U.S. export growth to the region has been a corollary benefit of the CBI throughout the history of the program. During the 2020-2021 reporting period however, decreases in U.S. exports were likely due to disruptions related to the COVID-19 pandemic. Exports then rebounded significantly in 2022. The value of total U.S. exports to CBI countries amounted to \$18.4 billion, a 43.6 percent increase from the previous year.<sup>3</sup> In 2021, U.S. exports were \$12.8 billion, a 15.1 percent increase from 2020. Collectively, the CBI region ranked 21st among U.S. export destinations in 2022 and absorbed 1.1 percent of total U.S. exports to the world. U.S. total goods trade (domestic exports plus imports for consumption) with the CBI countries was \$30.0 billion in 2022. The U.S. goods trade surplus with the CBI countries reached \$6.8 billion in 2022.

Although the effect of the CBI program on the U.S. economy generally was negligible during the 2021-2022 reporting period, the CBI continues to have a positive impact on a number of Caribbean

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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, the CBTPA, or both.

<sup>2</sup> Import statistics discussed in this report are imports for consumption unless otherwise noted.

<sup>3</sup> Export statistics discussed in this report are domestic exports (excluding re-exports) unless otherwise noted.

Basin economies. When including the HOPE Acts, Haiti has been the largest beneficiary of CBI trade preferences in recent years. The CBI also has encouraged the development of niche product manufacturing in several other countries, such as polystyrene from The Bahamas and fruit juice from Belize.

The Office of the United States Trade Representative (USTR) engages with CBI beneficiary trading partners under the CBI framework and the United States-Caribbean Community (CARICOM)<sup>4</sup> Trade and Investment Framework Agreement (TIFA). Along with inter-agency partners, USTR is working with beneficiary countries to increase awareness of the program and compliance across all program obligations. In 2023, USTR and CARICOM held a Trade and Investment Council meeting in Georgetown, Guyana, during which they reaffirmed the importance of the bilateral trade and economic relationship.

The last edition of this report published in 2021 included data on the rates of utilization of the program by beneficiary countries. That report highlighted several products for which duty-free treatment under the CBI was not claimed. There have been notable improvements since then, including an increase in utilization from 60 percent to 87.7 percent for margarine from Trinidad and Tobago and an increase from 28 percent to 100 percent for electrical transformers from Haiti. USTR will continue to engage with beneficiary countries to improve utilization rates in 2024.

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<sup>4</sup> CARICOM is composed of 15 member states--Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, and Trinidad and Tobago.

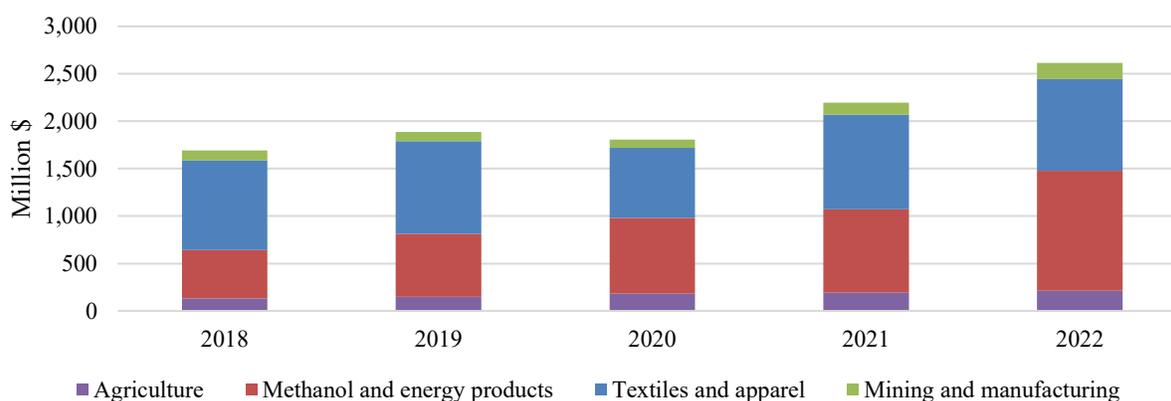
## Introduction

The CBI is a series of trade programs designed to facilitate the development of stable economies in the Caribbean. It was launched in 1983 with the passage of the CBERA and substantially expanded in 2000 with the CBTPA and later with 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 2023, the 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 economic development, increase production, and export diversification of the Caribbean Basin economies. After more than three decades, it is clear that CBI has also established a framework for engagement with the region in a number of trade policy areas and led to meaningful outcomes for the United States and its trading partners in the Caribbean and Central America.

Pursuant to section 212(f) of the CBERA, on a biennial basis, USTR is required to submit a report to Congress with the results of the general review of beneficiary countries and their performance under the eligibility criteria. This is USTR’s fifteenth report covering the CBERA and encompasses the period 2021-2022. The report describes the different provisions of the CBI and the eligibility criteria of the program, assesses trade flows between the United States and beneficiary countries, notes utilization gaps throughout the region, reviews compliance of each country with CBI eligibility criteria, and summarizes public comments submitted for the preparation of this report.

Chapter I of this report provides a description of the CBI and key product eligibility provisions. Chapter II then examines the current state of U.S. goods trade with the CBI countries. Figure 1 below shows the top product categories imported to the United States under the CBERA between 2018 and 2022.

**Figure 1:** U.S. imports under the CBERA, by major product categories, 2018-2022 (million USD)

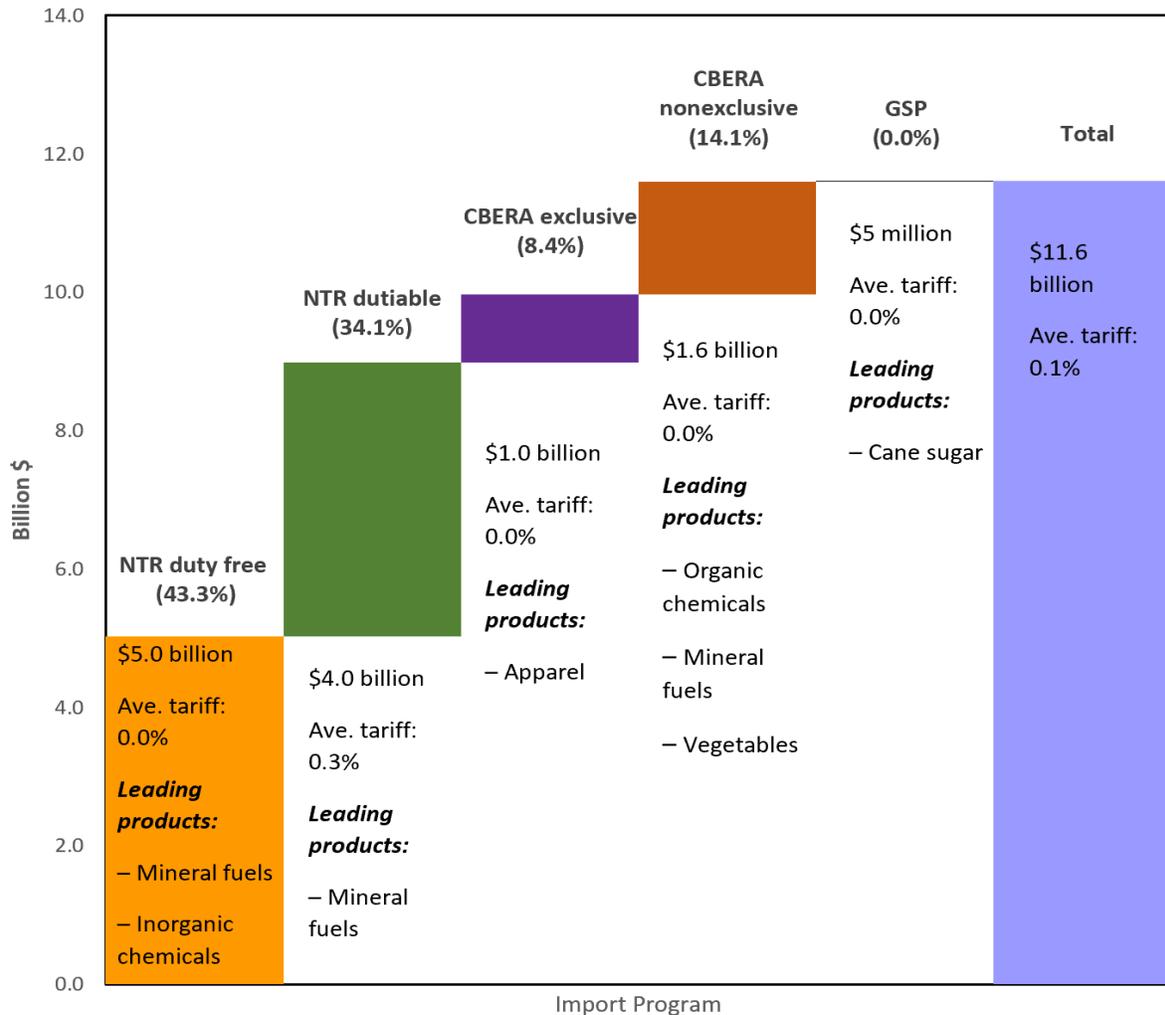


Source: USITC, *Caribbean Basin Economic Recovery Act: Impact on U.S. Industries and Consumers and on Beneficiary Countries, 26<sup>th</sup> Report*, September 2023; USITC DataWeb/Census, accessed February 9, 2023.

Note: Agriculture products are imported under Harmonized System (HS) chapters 1 through 24; methanol and energy products are imported under Harmonized Tariff Schedule (HTS) subheading 2905.11.20 (methanol other than for use in producing synthetic natural gas or for direct use as a fuel) and energy products imported under HS chapter 27 (mineral fuels); textile and apparel products are imported under HS chapters 50 through 63; mining and manufactured products are products not included under other major product categories.

The CBERA and CBTPA programs cover close to 5,800 tariff lines at the HTS8 level for products from Antigua and Barbuda, Aruba, The Bahamas, Barbados, Belize, the British Virgin Islands, Curaçao, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, and Trinidad and Tobago. While the CBI covers several industries throughout the Caribbean, Chapter III of this report includes an appraisal of utilization of the program. Figure 2 below shows the share of imports, including leading products, entering under the different import programs.

**Figure 2:** U.S. Imports from CBERA beneficiary countries, by import program and as a share of total imports from those countries, 2022



Source: USITC, *Caribbean Basin Economic Recovery Act: Impact on U.S. Industries and Consumers and on Beneficiary Countries, 26<sup>th</sup> Report*, September 2023; USITC DataWeb/Census, accessed February 9, 2023.

Note: “NTR” refers to normal trade relations (the U.S. term that has the same meaning as most-favored-nation status or “MFN”). Imports entering the United States may be either duty free or dutiable, depending on the product. “CBERA-exclusive” imports are imports of products that can receive preferential entry only under the CBERA program. “CBERA-nonexclusive” imports are imports of products that entered the United States under the CBERA program but were also eligible for entry under the Generalized System of Preferences (GSP). GSP authorization expired on December 31, 2020, so duty-free entry under GSP was not available for 2022, the year corresponding to the figure. Following past instances of GSP authorization lapsing, legislation renewing the President’s authority to grant duty-free treatment under GSP allowed for reimbursement of duties paid on GSP eligible products during the lapse. Thus, during 2022, importers had the option of claiming GSP preferences in the event GSP is renewed with retroactive relief. “Ave. tariff” is the ad valorem equivalent tariff collected on entry—that is, the total of the duties collected divided by the customs value of the imports.

Chapter IV reviews the CBERA and CBTPA eligibility criteria and Chapter V reviews the recent performance of CBI beneficiary countries in meeting these criteria. On July 19, 2023, USTR published a request for comments from the public on the operation of the CBI, including the performance of each beneficiary country.<sup>5</sup> Chapter VI provides a summary of the public comments received in connection with preparation of this report.

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<sup>5</sup> 88 Fed. Reg. 46360 (July 19, 2023)

## **I. Description of the Caribbean Basin Initiative**

### **Key Product Eligibility Provisions**

#### ***CBERA***

The CBERA, enacted in 1983, allows the President to grant unilateral duty-free treatment for imports of eligible articles from CBI beneficiary countries.<sup>6</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 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 for products from CBI beneficiary countries that are made from 100 percent U.S. components.

In addition, the list of products eligible for duty-free treatment was expanded through two Presidential 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 the CBERA parallel to the Generalized System of Preferences (GSP) program.<sup>7</sup> Textile and apparel articles, and petroleum and certain products derived from petroleum were excluded from duty-free treatment under the original CBERA.

#### ***CBTPA***

In October 2000, the United States enacted the CBTPA to enhance existing CBERA preferences.<sup>8</sup> The CBTPA recognized the significance 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. The CBTPA has been renewed several times since it was enacted in 2000. It was most recently renewed in October 2020 and is set to expire September 30, 2030.

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 (the “yarn forward” rule). If the U.S. fabrics used in the production of such apparel are cut into parts in a CBTPA beneficiary country 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

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<sup>6</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 201, 97 Stat. 384 (1983).

<sup>7</sup> The GSP program expired on December 31, 2020.

<sup>8</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211, 114 Stat. 276 (2000).

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 provided for t-shirts. 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 United States-Mexico-Canada Agreement (USMCA), 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>9</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 of 2006 to make Haiti eligible for specific trade benefits.<sup>10</sup> Under the CBTPA, apparel imports from Haiti only qualify for duty-free treatment if they are made from yarns or fabric from the U.S., Haiti, and in some cases certain former beneficiary countries (i.e., current CAFTA-DR partner countries). The HOPE Act expanded duty-free benefits for Haitian-made apparel to allow the use of yarns and fabrics from other countries. Under the value-added quota program, apparel imports from Haiti qualify for duty-free treatment as long as a threshold percentage (currently 60 percent<sup>11</sup>) of the value of inputs and processing costs is from any combination of the United States, FTA partner countries, or regional preference program partner countries. The quota level, calculated on an annual basis, is 1.25 percent of total U.S. apparel imports, and has historically been underutilized.

The HOPE Act also introduced a quota program (up to 70 million square meter equivalents annually) for woven apparel, so that as long as the apparel is wholly assembled or knit-to-shape

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<sup>9</sup> Trade Act of 2002, Pub. L. No. 107-210, § 101, 116 Stat. 933 (2002).

<sup>10</sup> Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006, Pub. L. No. 109-432, § 5001, 120 Stat. 3180 (2006).

<sup>11</sup> 19 U.S.C. Sec. 2703a(b)(1)(B)(v)(I).

in Haiti, the apparel can be made of yarns and fabrics from any country. Finally, the HOPE Act allows automotive wire harnesses imported from Haiti that contain at least 50 percent by value of materials produced in Haiti, the United States, FTA partner countries, or regional preference program beneficiary countries to qualify for duty-free treatment.

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

The HOPE II Act of 2008 maintained and expanded the original HOPE Act.<sup>12</sup> Similar to the woven apparel quota program established in HOPE, the HOPE II Act provides for duty-free access for up to 70 million square meter equivalents of knit apparel (with some t-shirt and sweatshirt exclusions) annually. The HOPE II Act also provides for duty-free treatment of any kind of apparel under an earned import allowance program that provides allowances for the purchase or manufacture of qualifying fabric (sourced from the United States or certain trade partner countries) shipped to Haiti for production of apparel. Those allowances may be used to obtain duty-free treatment on Haitian made apparel regardless of the source of the fabric. The HOPE II Act also provides for duty-free treatment for certain brassieres, luggage, headgear, and certain sleepwear. The HOPE II Act allows these Haitian goods to enter the United States duty-free if shipped either directly from Haiti or through the Dominican Republic.

### ***HELP Act***

In May 2010, President Obama signed the HELP Act.<sup>13</sup> The HELP Act expanded preferences for apparel for Haiti (namely, providing for an increase in quota levels for the knit and woven apparel quotas from 70 to 200 million square meter equivalents) and established new preferences for certain non-apparel textile goods.

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

The Trade Preferences Extension Act of 2015 (TPEA) extends duty-free benefit programs for Haiti until September 30, 2025.<sup>14</sup> The TPEA extends the special duty-free preferences provided under the HOPE Act, HOPE II Act, and the HELP Act 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 quota for apparel articles wholly assembled or knit-to-shape in Haiti for an additional seven years ending December 19, 2025, with the quota level remaining at 1.25 percent of total U.S. apparel imports.

## **Beneficiary Countries**

As of 2023, 17 countries and dependent territories receive benefits under the CBERA, the CBTPA, or both. Chapter IV discusses the CBERA and CBTPA eligibility criteria and provides

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<sup>12</sup> Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008, Pub. L. No. 110-246, § 15401, 122 Stat. 2289 (2008).

<sup>13</sup> Haiti Economic Lift Program Act of 2010, Pub. L. No. 111-171, § 1, 124 Stat. 1194 (2010).

<sup>14</sup> Trade Preferences Extension Act of 2015, Pub. L. No. 114-27, § 101, 129 Stat. 361 (2015).

a summary of CBI country compliance with these criteria on the part of CBI countries. The President is authorized to terminate a country's designation, or to limit, suspend, or withdraw CBI benefits if conditions change with regard to performance in connection with the statutory eligibility criteria. The 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, Dominica, Dominican Republic, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Montserrat, Netherlands Antilles, Panama, Saint 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.

Based on the statutory criteria described in Chapter IV 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 USMCA. 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 President may designate additional CBTPA eligible beneficiaries, provided that they satisfy the customs-related requirements.

Eight countries are no longer eligible for benefits due to 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.

Additionally, when the United States-Panama Trade Promotion Agreement entered into force on October 31, 2012, Panama ceased to be designated as a CBERA and CBTPA beneficiary country.

**Table 1:** CBERA and CBTPA beneficiary countries and territories

<b>Current CBERA-eligible countries and territories, and their dates of designation if not original beneficiaries:</b>	<b>Current CBTPA-eligible countries and territories:</b>
Antigua and Barbuda Aruba (April 11, 1986) The Bahamas (March 14, 1985) Barbados Belize British Virgin Islands Curaçao (December 23, 2013) Dominica Grenada Guyana (November 24, 1988) Haiti Jamaica Montserrat Saint Kitts and Nevis Saint Lucia Saint Vincent and the Grenadines Trinidad and Tobago	Barbados Belize Curaçao Guyana Haiti Jamaica Saint Lucia Trinidad and Tobago

Congress also identified Anguilla, Cayman Islands, Suriname, and Turks and Caicos Islands in the CBERA legislation as eligible for benefits. Of these countries, only Suriname requested beneficiary status, in 2009.

Sint Maarten, which had previously been eligible for CBERA and CBTPA benefits as part of the Netherlands Antilles, did not seek to continue independently as a beneficiary country.

### **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 USMCA in order to receive benefits. Beneficiary countries must provide the USTR with commitments regarding, among other things: 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 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 7652(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 since January 1, 2022, the rate at which the amounts transferred are calculated is \$10.50 per proof gallon (section 7652(f) of the Code).

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 qualifying 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 June 2016 (latest Internal Revenue Service review), the following current CBERA beneficiaries can be treated as qualifying countries for purposes of this provision: Antigua and Barbuda, Aruba, The Bahamas, Barbados, Curaçao, Dominica, Grenada, Guyana, Jamaica, Saint Lucia, and Trinidad and Tobago.<sup>15</sup>

## Reports

In addition to this biennial USTR Report on the general operation of the CBERA and compliance with eligibility criteria, the CBERA and other trade preference legislation require the following reports.

***USITC Economic Effects Report:*** Section 215 of the CBERA requires the U.S. International Trade Commission (USITC) 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 USITC has also been required to address the economic impact of the CBI programs on beneficiary countries. The USITC submitted its 26th report on the impact of the CBERA to the President and Congress in September 2023.<sup>16</sup> The USITC concluded that the CBERA continues to have a positive effect on a number of Caribbean Basin countries, despite a two year decrease in CBERA exports, and a negligible impact on U.S. imports, producers, and consumers. For U.S. industries in particular, the overall effect of the program on domestic production, employment, and operating profits was also negligible. The USITC concluded that the future effect of the CBERA on the United States will likely remain negligible.

***Findings on the Worst Forms of Child Labor Report:*** The Trade and Development Act of 2000 (TDA) requires that a country implement its commitments to eliminate the worst forms of child labor for the President of the United States to consider in designating the country a beneficiary developing country under the Generalized System of Preferences (GSP) program. The TDA also mandates that the President submit annually to the United States Congress the Secretary of Labor’s findings with respect to each “beneficiary country’s implementation of its international commitments to eliminate the worst forms of child labor.” The DOL published the most recent report in September 2023.<sup>17</sup> The *Findings on the Worst Forms of Child Labor* report contains country profiles for many CBI beneficiary countries. USTR utilizes these profiles to closely monitor CBI beneficiary country efforts to eliminate the worst forms of child labor.

## 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

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<sup>15</sup> See IRS Revenue Ruling 2016-26 or any successor guidance.

<sup>16</sup> USITC Publication 5446, available at [Caribbean Basin Economic Recovery Act: Impact on U.S. Industries and Consumers and on Beneficiary Countries, 26th, Report, September 2023 \(usitc.gov\)](https://www.usitc.gov/publications/5446).

<sup>17</sup> The latest report is available at [https://www.dol.gov/sites/dolgov/files/ILAB/child\\_labor\\_reports/tda2022/2022-Findings-on-the-Worst-Forms-of-Child-Labor.pdf](https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2022/2022-Findings-on-the-Worst-Forms-of-Child-Labor.pdf).

consultations between the United States and CBI countries concerning the possible initiation of advantageous trade agreements with the United States.

In May 2013, the United States signed a Trade and Investment Framework Agreement with CARICOM. USTR and CARICOM convened for the ninth Trade and Investment Committee meeting under the CARICOM Trade and Investment Framework Agreement in October 2023 in Georgetown, Guyana.

## **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.

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

### U.S. Imports

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

At their peak in 2005, U.S. imports of goods for consumption from CBI countries were \$32.0 billion, and CBI countries combined constituted the 12th-largest supplier of U.S. imports. In contrast, CBI beneficiary countries supplied \$11.6 billion of U.S. imports in 2022, collectively ranking 26th among U.S. import suppliers (see Table 2). In 2005, CBI beneficiary countries supplied nearly 2 percent of total imports into the United States, but this share decreased to 0.2 percent in 2020, primarily due to the exit of the CAFTA-DR beneficiaries, the Netherlands Antilles, and Panama from the CBI program. The share of U.S. imports of goods from CBI countries in total U.S. imports steadily grew from 2020 onward reaching 0.4 percent in 2022. The upturn in imports from CBI countries for the last two years took the following form: U.S. imports from CBI beneficiaries increased from \$5.1 billion in 2020 to \$8.7 billion in 2021 and \$11.6 billion in 2022 – increases of 70.5 percent and 33.7 percent, respectively (table 2).

**Table 2:** U.S. Merchandise Trade with CBI beneficiary countries, 2018-2022 and January-July of 2022 and 2023

In millions of dollars and percentages.

Year	U.S. Total Goods Exports to World	U.S. Goods Exports to CBI Countries		U.S. Total Goods Imports from World	U.S. Total Goods Imports from CBI Countries		U.S. Merchandise Trade Balance with CBI Countries
		Million \$	% of U.S. Total		Million \$	% of U.S. Total	
2018	1,413,178.7	13,476.7	1.0	2,547,786.7	6,093.6	0.2	7,383.2
2019	1,395,308.3	13,924.5	1.0	2,495,687.2	5,567.5	0.2	8,357.0
2020	1,205,386.7	11,144.9	0.9	2,330,555.1	5,089.5	0.2	6,055.5
2021	1,481,297.7	12,822.4	0.9	2,818,240.8	8,678.0	0.3	4,144.3
2022	1,744,850.7	18,408.5	1.1	3,226,314.9	11,603.1	0.4	6,805.3
Jan-July 2022	1,005,996.0	10,658.2	1.1	1,882,937.6	6,581.4	0.3	4,076.9
Jan-July 2023	975,449.2	9,196.8	0.9	1,772,458.8	5,726.2	0.3	3,470.7

Source: USITC DataWeb/Census, accessed September 7, 2023. Data reflect all official USDOC revisions for 2018-2022 as of this date.

Note: Exports refers to domestic exports (excludes re-exports), free alongside ship (FAS) value. Imports refers to imports for consumption, customs value. Trade balance is calculated as domestic exports minus imports for consumption.

U.S. imports under the CBI tariff preferences (not including imports under the HOPE Acts)

increased to \$1.9 billion in 2022, from \$1.4 billion in 2021 and \$1.2 billion in 2020 (see Table 3). Petroleum products, methanol, and apparel (mainly t-shirts and sweaters) were the primary products imported by the United States from CBI countries. The combined share of these products in the total U.S. imports under CBI preferences, including the HOPE Acts, remained close to 85 percent in 2022. The rise in 2020-2022 was primarily driven by a higher volume of U.S. imports of petroleum products—from Trinidad and Tobago, Guyana, Jamaica, and Curaçao—achieving \$940.2 million in 2022, up from \$547.4 million in 2020 or an increase of 71.7 percent. Guyana and Trinidad and Tobago were the main sources of petroleum products imported under CBI preferences and in 2022 their shares were 54.1 percent and 42.3 percent, respectively. Haiti was the largest supplier of the U.S. textile and apparel imports among CBI countries. In 2022, the imports from Haiti comprised 13.1 percent of U.S. imports under CBI preferences (and 37.2 percent when including imports under the HOPE Acts). In 2022, total imports from Haiti under the HOPE Acts were \$740 million, a 1.3 percent drop from 2021 and a 33.2 percent increase from 2020. The remaining U.S. imports under the CBI preferences were agricultural products, eight percent, and mining and manufacturing products, seven percent.

**Table 3:** U.S. Imports from CBI Countries by Program, 2020-2022 and January-July of 2022 and 2023

In millions of dollars and percentages.

Import Program	2020	2021	2022	2022 January - July	2023 January - July	Change 2020 - 2021	Change 2021- 2022	Change 2022- 2023, January - July
	Million \$				Percent			
CBI	1,234.9	1,440.7	1,931.1	1,214.2	427.7	16.7	34.0	-64.8
CBERA	513.2	775.9	753.4	416.0	280.8	51.2	-2.9	-32.5
CBTPA	721.7	664.8	1,177.7	798.2	147.0	-7.9	77.2	-81.6
GSP	38.3	7.1	4.9	3.0	13.0	-81.5	-30.4	338.1
HOPE Acts	573.2	750.0	740.1	462.9	335.4	30.8	-1.3	-27.6
Otherwise duty-free	2,670.9	4,361.7	5,025.0	3,037.5	2,359.7	63.3	15.2	-22.3
Dutiable imports	572.2	2,118.5	3,902.0	1,863.8	2,590.3	270.2	84.2	39.0
Total	5,089.5	8,678.0	11,603.1	6,581.4	5,726.2	70.5	33.7	-13.0

Source: USITC DataWeb/Census, accessed September 7, 2023. Data reflect all official USDOC revisions for 2018-2022 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 under CBI tariff preferences since 2005 (when excluding the HOPE Acts).<sup>18</sup> In 2022, the imports into the United States from Trinidad and Tobago under CBI tariff preferences reached \$882.3 million (Appendix 1). This is an increase of 52.3 percent from 2020, when imports were \$579 million. Methanol

<sup>18</sup> For purposes of this analysis, “CBI imports” refers to imports into the United States that claim a preference under either CBERA or CBTPA.

(\$377 million) and petroleum products (\$398 million) dominated these imports in 2022.<sup>19</sup> U.S. imports of petroleum products from Trinidad and Tobago under CBI preferences increased by 39.9 percent between 2020 and 2022. For the same two-year period, U.S. imports of methanol grew by 52.7 percent. In 2022, approximately 35.2 percent of imports of petroleum products from Trinidad and Tobago entered under CBI preferences, while 99.8 percent of methanol imports entered under CBI preferences.

**Guyana** is the second leading supplier of CBI imports. U.S. imports from Guyana under the CBI preferences reached \$532.0 million in 2022, a 180 percent increase from 2021 and double the \$265 million in imports in 2020 (Appendix 1). Overall, the increase in imports from Guyana starting in 2020 was driven by petroleum products (mainly crude petroleum oils), though in 2022 only 20.3 percent of petroleum imports from Guyana claimed CBI preferences. In 2022, another driver of CBI imports was agricultural products, i.e., raw cane sugar, which represented over 4 percent (\$20.3 million) of total U.S. imports from Guyana claiming CBI preferences. Quantitatively, the U.S. imports of raw cane sugar from Guyana rose by 213 percent from 2019 to 2022; however, there were no such imports in 2021.

**Haiti** is the third leading source of CBI imports (when excluding the HOPE Acts) (Appendix 1). Previously, Haiti held the second place for 2009-2019, before being passed as Guyana's exports to the United States grew. In 2022, U.S. imports from Haiti under CBI tariff preferences were \$253.4 million, with an additional \$740.2 million of imports claiming preferences under the HOPE Acts. Apparel products reached 92 percent of total U.S. imports from Haiti in 2022 and almost all these imports entered under CBTPA or the HOPE Act preferences. U.S imports of apparel from Haiti increased by 36 percent from 2020 to 2021 as Haiti recovered from the Covid-19 pandemic. Both apparel imports and total imports from Haiti declined slightly in 2022. This decline is attributed to numerous disruptions, which include protests, repercussions associated with the July 2021 assassination of Haiti's President, the August 2021 earthquake, and increased gang violence. While Haiti remained the third largest supplier of CBI imports, total imports (e.g., not just those claiming CBI preferences) from The Bahamas surpassed those from Haiti in 2022. U.S. imports from The Bahamas were mainly driven by a sharp rise, 1,616 percent, of dutiable imports (mainly petroleum products) in 2022.

Utilization of CBI preferences varies significantly by beneficiary country. In 2022, CBI imports as a share of total U.S. imports from each country ranged from nearly zero percent (Antigua Barbuda, British Virgin Islands, and Montserrat) to as high as 98.6 percent (Haiti, when including imports under the HOPE Acts). In addition to petroleum, methanol and apparel, polystyrene (The Bahamas) and agricultural products, particularly fresh or chilled yam (Jamaica) and cane sugar (Belize and Guyana), were imported in significant amounts under CBI tariff preferences.

## **U.S. Exports**

Although the CBI program was initially envisioned as a program to facilitate the economic development and export diversification of the Caribbean Basin economies, U.S. export growth to the region has been a corollary benefit. Since the CBI program took effect on January 1, 1984,

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<sup>19</sup> Petroleum products include products classified under HS chapter 27.

U.S. domestic exports to the region increased from \$6.1 billion (2.8 percent of U.S. total exports) to a peak of \$26.1 billion (3.2 percent of U.S. total exports) in 2005.<sup>20</sup> Since that time, however, U.S. exports to the region have fallen significantly. Most of the decrease was due to the exit of the countries that joined the CAFTA-DR and the U.S.-Panama TPA; these countries received 68.4 percent of U.S. exports to CBI beneficiaries in 2005, valued at \$18 billion.<sup>21</sup> In 2022, the value of total U.S. exports to CBI countries amounted to \$18.4 billion, a 43.6 percent increase from the previous year. In 2021, U.S. exports were \$12.8 billion, a 15.1 percent increase from 2020 (see Table 2). Collectively, the CBI region ranked 21st among U.S. export destinations in 2022 and absorbed 1.1 percent of total U.S. exports to the world (see Table 2).

The leading markets for U.S. exports to the CBI region in 2022 were The Bahamas, Trinidad and Tobago, Jamaica, Haiti, and Guyana. These five countries accounted for over 65 percent of U.S. exports to the region in 2022 (see Table 4). The leading export categories included refined petroleum products; civilian aircraft, engines, and parts; rice; chicken; wheat; corn; and pine wood.<sup>22</sup>

**Table 4:** U.S. exports to CBI Countries, 2018-2022 and January-July of 2022 and 2023  
In millions of dollars.

Country/Territory	2018	2019	2020	2021	2022	2022 Jan-Jul	2022 Jan-Jul
Antigua and Barbuda	491	464	262	507	983	571	418
Aruba	544	488	263	487	584	322	328
Bahamas	2,909	3,206	2,575	2,743	4,956	2,499	2,772
Barbados	466	450	430	615	679	360	360
Belize	392	391	381	395	494	270	363
British Virgin Islands	681	457	268	241	445	203	214
Curaçao	690	359	314	299	465	293	279
Dominica	153	235	92	340	140	100	34
Grenada	110	108	89	114	157	84	100
Guyana	491	592	602	912	1,080	588	683
Haiti	1,365	1,158	1,357	1,258	1,363	935	670
Jamaica	2,463	2,325	1,537	1,820	2,466	1,448	1,394
Montserrat	17	14	11	9	9	4	7
Saint Kitts-Nevis	188	174	121	125	151	75	86
Saint Lucia	575	801	598	504	866	445	379
Saint Vincent and the Grenadines	79	97	72	90	139	73	77

<sup>20</sup> As previously noted, export data in this report refer to domestic exports (FAS) value, unless otherwise noted.

<sup>21</sup> Those countries (and date of entry into force of CAFTA-DR) were El Salvador (March 1, 2006); Honduras and Nicaragua (April 1, 2006); Guatemala (July 1, 2006); the Dominican Republic (March 1, 2007); and Costa Rica (January 1, 2009). Panama ceased to be designated a CBERA beneficiary country with the entry into force on October 31, 2012 of the U.S.-Panama Trade Promotion Agreement.

<sup>22</sup> The leading exports by 6-digit HS subheading.

Trinidad and Tobago	1,862	2,604	2,173	2,362	3,431	2,388	1,032
Total	13,477	13,924	11,145	12,822	18,408	10,658	9,197

Source: USITC DataWeb/Census accessed September 7, 2023. Data reflect all official USDOC revisions for 2018-2022 as of this date.

Note: Domestic exports, free alongside ship (FAS) value.

### III. Utilization Potential

#### Utilization Gap

CARICOM’s use of CBI for exports to the United States continues to be uneven. Some factors contributing to limited use of CBI preferences include trade preferences available to competing suppliers, available productive resources and the ability to attract investment, knowledge of the program, and flexibility of CBI program rules of origin and other U.S. import requirements.<sup>23</sup> Table 5 captures CBI-eligible imports to the United States — the portion that claimed the CBI preference, the portion that claimed a different preference program, and the portion that claimed no preference. While The Bahamas, Belize, Grenada, and Saint Lucia claimed CBI preferences on 90 percent or more of eligible goods in 2022, the British Virgin Islands and Montserrat did not use the programs at all when exporting eligible goods, and Antigua and Barbuda and Aruba claimed CBI preferences on less than 10 percent of eligible goods in 2022.

**Table 5:** U.S. imports of CBI-eligible tariff lines by beneficiary country, 2022  
In dollars.

	<b>CBI</b>	<b>Other Preference Programs</b>	<b>No Program Claimed</b>	<b>Total Eligible Imports for Consumption</b>
Antigua and Barbuda	6,750	5,892	555,994	568,636
Aruba	35,114	65,543	257,305	357,962
The Bahamas	80,107,573	558,295	2,889,574	83,555,442
Barbados	641,136	511,253	2,584,340	3,736,729
Belize	20,975,236	1,660,652	669,803	23,305,691
British Virgin Islands	0	0	312,355	312,355
Curaçao	16,216,632	788	4,252,905	20,470,325
Dominica	12,888	0	84,040	96,928
Grenada	3,974,560	7,670	78,301	4,060,531
Guyana	532,034,403	764,510	2,001,230,067	2,534,028,980
Haiti	253,349,702	728,679,558	12,982,630	995,011,890
Jamaica	133,747,582	2,417,476	15,875,083	152,040,141
Montserrat	0	0	746,888	746,888
Saint Kitts-Nevis	6,707,796	0	1,225,227	7,933,023
Saint Lucia	874,956	32,374	63,902	971,232
Saint Vincent & the Grenadines	129,450	6,145	36,654	172,249
Trinidad & Tobago	882,318,016	1,611,952	737,650,354	1,621,580,322
<b>Grand Total</b>	<b>1,931,131,794</b>	<b>736,322,108</b>	<b>2,781,495,422</b>	<b>5,448,949,324</b>

Source: USITC DataWeb/Census, accessed September 7, 2023. Data reflect all official USDOC revisions for 2022 as of this date.

<sup>23</sup> Imports under CBI preferences include imports into the United States that claim a preference under CBERA or CBTPA, but exclude imports under the HOPE Acts unless otherwise specified.

Note: Imports for consumption, customs value. Imports under CBI preferences include imports into the United States that claim a preference under CBERA or CBTPA.

Since the last CBI Report, there has been a notable increase in utilization of CBI preferences for certain CBI eligible products that had previously been imported into the United States without CBI preferences.

- The United States imported \$1.3 million of electrical transformers (USHTS 8504.31.40) from Haiti in 2020; 28 percent entered under CBERA preferences and 62 percent entered under Puerto Rico-CBI preferences. In 2022, the United States imported \$1,539,258 of electrical transformers from Haiti, all of which entered under CBERA preferences.
- In 2018, over 72 percent of Guyanese chilled and frozen fish (USHTS 0304.99.91) were imported into the United States under no preference program. In 2019 and 2020, 88 and 77 percent respectively, entered under CBERA. In 2022, 93.7 percent of the total \$121,686 entered under CBERA preferences.
- In 2020, 40 percent (\$255,416) of margarine (USHTS 1517.10.00) exports from Trinidad and Tobago to the United States were entered without a preference. In 2022, 87.7 percent of the \$293,253 U.S. margarine imports from Trinidad and Tobago entered under CBERA preferences.

## **Highlights of products from the Caribbean traded with the United States**

There are several CBI-eligible products for which there is a significant market demand in the United States. The CBI makes these products particularly competitive from beneficiary countries.

### ***Cocoa and Trinidad and Tobago***

Cocoa is grown in tropical regions and typically shipped as either whole roasted beans or semi-processed products such as cocoa powder, press cake, or liquor. The cocoa is then further processed to become finished chocolate products. While cocoa beans have an MFN duty of zero, processed cocoa is generally subject to an MFN duty, making CBI beneficiary exports more competitive than those from countries without preferential access.<sup>24</sup> Trinidad and Tobago exported \$3.8 million of cocoa products to the United States in 2022, primarily as finished chocolate products, under CBERA preferences.<sup>25</sup> From 2021-2022, imports from Trinidad and Tobago of cocoa under the CBERA program accounted for 66.7 percent of imports of cocoa from CBERA countries. Haiti, the region's top exporter in previous years, accounted for 25.5 percent of cocoa imports. However, the CBERA countries supplied only 0.09 percent of total imports of cocoa into the United States in 2022.

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<sup>24</sup> Many subheadings are subject to dairy or sugar quotas.

<sup>25</sup> Cocoa is classified under HS chapter 18. Finished chocolate products are classified under HS heading 1806.

### ***Rum and Barbados, Guyana, and Jamaica***

Rum is an alcoholic beverage distilled from the fermented juice of sugar cane, sugar cane syrup, sugar cane molasses or other sugar cane by-products. The United States produces a small quantity of rum and imports large volumes (under HTS subheading 2208.40), with total imports of \$179.6 million in 2022. Caribbean nations are the primary sources of U.S. rum imports, led by Barbados (\$17.2 million), Jamaica (\$15.2 million), and Guyana (\$8.8 million). U.S. rum imports are classified by container size and value per proof liter.

The majority of rum imported by the United States, worth \$155.5 million and accounting for 87 percent of total U.S. rum imports in 2022, is classified as higher value rum on a per proof liter basis, valued at more than \$3 per proof liter and in containers of 4 liters or less.<sup>26</sup> Jamaica, Barbados, and Guyana are the top suppliers of this rum import category among CBI beneficiaries, accounting for \$13.8 million (8.9 percent), \$11.7 million (7.6 percent), \$8.3 million (5.4 percent) in 2022, respectively.

The second largest category of U.S. rum imports, worth \$17.5 million and accounting for 9.7 percent of total U.S. rum imports in 2022, is in larger containers (over 4 liters) valued at more than 69 cents per proof liter.<sup>27</sup> Within this category, the leading suppliers among CBERA beneficiaries—Barbados and Jamaica—supplied \$5.4 million (30.9 percent) and \$1.0 million (5.8 percent), respectively, of U.S. imports in 2022.

The remaining two categories of U.S. rum imports, both of which represent lower value rum, accounted for a smaller overall share of total U.S. rum imports (3.7 percent in 2022).<sup>28</sup> Trinidad and Tobago and Jamaica supplied \$0.5 million (7.4 percent) and \$0.4 million (6.4 percent), respectively, of \$6.7 million U.S. imports in this category in 2022.

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<sup>26</sup> USHTS 2208.40.40

<sup>27</sup> USHTS 2208.40.80

<sup>28</sup> USHTS 2208.40.60 and USHTS 2208.40.20

## IV. Eligibility Criteria

The trade preferences made available under CBI represent a unilateral, non-reciprocal grant of benefits to U.S. trading partners in the Caribbean and to Belize. 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>29</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 CBERA;<sup>30</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>31</sup>

### CBERA “Mandatory” Criteria

#### *Communist Country:*

A country cannot be designated as a CBERA beneficiary country “if such country is a Communist country.”<sup>32</sup> No Communist country has requested designation, and none of the current CBI countries is a Communist country.

#### *Nationalization/Expropriation:*

The CBERA stipulates that a country is ineligible for CBI benefits if it has expropriated or nationalized property of U.S. citizens, unless the President determines that the country is taking steps to resolve any claims, or if such country has taken steps to repudiate or nullify any existing contracts or agreements as well as any patent, trademark, or other intellectual property under specified conditions.<sup>33</sup> The United States is closely monitoring activity with respect to certain beneficiaries, as described in the country reports that follow, and will raise appropriate concerns with relevant countries. At this time, the Administration has not determined that any countries are ineligible under this criterion.

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<sup>29</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b), 97 Stat. 385 (1983).

<sup>30</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c), 97 Stat. 386 (1983).

<sup>31</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § Sec 211(b)(5)(B), 114 Stat. 284 (2000).

<sup>32</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(1), 97 Stat. 385 (1983).

<sup>33</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(2), 97 Stat. 385-86 (1983).

***Arbitral Awards:***

If a country 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 cannot be designated as a CBERA beneficiary.<sup>34</sup> The United States is currently evaluating questions that have been raised with respect to certain beneficiaries, as described in the country reports that follow, and will consider action where appropriate. At this time, the Administration has not determined that any countries are ineligible under this criterion.

***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>35</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 Caribbean Forum ((CARIFORUM)) countries<sup>36</sup>). Guyana and Haiti joined the agreement in 2008 and 2009 respectively.

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.

***Expropriation of Intellectual Property:***

The CBERA excludes from designation any countries where government-owned entities broadcast copyrighted material, including films or television material belonging to United States copyright owners without their express consent.<sup>37</sup> These factors were modified and broadened in the context of country designation criteria under the CBTPA (see below). The United States is closely monitoring developments in the intellectual property area with respect to certain beneficiaries, as described in the country reports that follow, and intends to explore ways to address these issues.

***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>

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<sup>34</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(3), 97 Stat. 386 (1983).

<sup>35</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(4), 97 Stat. 386 (1983).

<sup>36</sup> Established in 1992, the CARIFORUM is a subgroup of the *Organisation of African, Caribbean and Pacific States* and serves as forum for economic dialogue between its members and the European Union. Although there is overlap in membership, the CARIFORUM is distinct from CARICOM, which is an intergovernmental organization dedicated to the political and economic union of its members.

<sup>37</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).

### ***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 in CBERA designation.<sup>23</sup> These factors were modified and broadened in the context of country designation criteria under the CBTPA (see below). The Administration is closely monitoring developments in worker rights with respect to the beneficiaries.

## **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>38</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> The United States maintains a strong interest in conditions of economic development in the Caribbean. The country reports contained in this chapter briefly review current conditions in CBI beneficiary 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 World Trade Organization (WTO).<sup>39</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.<sup>40</sup> These factors are examined in the country reports which follow.

### ***Use of Trade Distorting Measures:***

The 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>41</sup> This is examined in the country reports which follow.

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<sup>38</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).

<sup>39</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(3)-(4), 97 Stat. 386-87 (1983).

<sup>40</sup> Negotiations for a Free Trade Area of the Americas were launched in 1994 and abandoned in 2004.

<sup>41</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(5), 97 Stat. 387 (1983).

### ***Contribution to Regional Revitalization:***

The 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>42</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 modernize trade and investment regimes.

### ***Self-Help Measures:***

The CBERA's eligibility criteria requires countries in the region to take steps to advance their own economic development.<sup>43</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:***

The 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 rights in intellectual property, including patent, trademark, and copyright rights"<sup>44</sup> and the extent to which a country prohibits its nationals from broadcasting copyrighted materials, including film and television material, belonging to U.S. copyright owners without their express consent.<sup>45</sup> The United States is closely monitoring issues that have been raised with respect to certain beneficiaries, as described in the country reports that follow, and will consider whether further action may be appropriate.

### ***Cooperation in Administration of the CBERA:***

The CBERA's eligibility criteria included that CBERA beneficiaries cooperate in the administration of CBI preferences when requested by the U.S. government.<sup>46</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 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>47</sup>

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<sup>42</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(6), 97 Stat. 387 (1983).

<sup>43</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(7), 97 Stat. 387 (1983).

<sup>44</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(9)-(10), 97 Stat. 387 (1983).

<sup>45</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(9)-(10), 97 Stat. 387 (1983).

<sup>46</sup> Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(11), 97 Stat. 387 (1983).

<sup>47</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § Sec 211(b)(5)(B)(i), 114 Stat. 284 (2000).

- 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>48</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>49</sup>
- whether the country has implemented its commitments<sup>50</sup> to eliminate the worst forms of child labor;<sup>51</sup>
- the extent to which the country has met U.S. counter-narcotics certification criteria<sup>52</sup> under the Foreign Assistance Act of 1961;<sup>53</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>54</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>55</sup>

## HOPE Eligibility Criteria

The HOPE Act requires that in order to receive benefits, Haiti must demonstrate that it is improving 1) its 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) its system to combat corruption; and 6) the protection of internationally recognized worker rights. Haiti will

<sup>48</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(ii), 114 Stat. 284 (2000).

<sup>49</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(ii), 114 Stat. 284 (2000).

<sup>50</sup> These commitments are defined in 29 U.S.C. § 2467(6).

<sup>51</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(iv)-(iv), 114 Stat. 285 (2000).

<sup>52</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(iv)-(iv), 114 Stat. 285 (2000).

<sup>53</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>54</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(vi), 114 Stat. 285 (2000).

<sup>55</sup> Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(vi), 114 Stat. 285 (2000).

also lose benefits if it undermines U.S. foreign policy interests, engages in gross violations of human rights, or provides support for acts of international terrorism.

To meet the labor requirements that Congress included in the HOPE II Act, in 2009 Haiti established an independent labor ombudsman's office and, in cooperation with the International Labour 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 the HOPE II Act, 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 seek to assist such producers with coming into compliance with core labor standards and related Haitian laws. The President has delegated to the Secretary of Labor, in consultation with the U.S. Trade Representative, his authority to identify any such producers and provide remediation assistance to them. For the two-year period ending in December 2021, the U.S. Department of Labor (DOL) and USTR did not identify any producers in Haiti as noncompliant. Since the last report, DOL has continued to provide compliance assistance to at-risk factories.

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. 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 16, 2023 and is available on USTR's website at <https://ustr.gov/sites/default/files/Cleared%20Haiti%20HOPE%20II%20Report%20to%20Congress%202023%20062023.pdf>.

## V. 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 the CBTPA is the most recent expression by Congress of U.S. policy objectives linked to the extension of CBI benefits.<sup>56</sup> The pre-existing eligibility criteria of the CBERA are also reflected in the country reports, where relevant. The United States is carefully monitoring compliance with eligibility criteria and will continue to engage bilaterally with relevant countries to resolve outstanding issues and take action where needed.

When available, population, gross domestic product (GDP), and per capita GDP figures are drawn from The World Bank DataBank and otherwise they are drawn from the UN Statistics Division. Trade data are cited in U.S. dollars (customs basis) and are compiled from official statistics of the U.S. Census Bureau, via USITC DataWeb/Census, accessed November 30, 2023.

### Antigua and Barbuda

*Economic Review:* Antigua and Barbuda is a member of the Organization of Eastern Caribbean States (OECS) and the Eastern Caribbean Currency Union (ECCU). Antigua and Barbuda's 2022 estimated GDP was \$1.76 billion. This represents an approximate 24 percent increase from 2020 as the country is showing signs of recovery from the COVID-19 pandemic. Short-term forecasts project a recovery throughout 2023, with the International Monetary Fund (IMF) forecasting that the economy will grow to 5.5 percent in 2023. Tourism, Antigua and Barbuda's largest economic sector, grew over 56 percent in 2022; with tourism related construction increasing by 20 percent.

Indicator	2022 Data
Population*	93,763
GDP*	\$1,757,600,000
GDP per capita*	\$18,745.20
U.S. Exports**	\$983,203,562
U.S. Imports**	\$8,585,218
U.S. Trade Balance**	\$974,618,344

Source: The World Bank\*; U.S. International Trade Commission DataWeb\*\*

*Commitment to Undertake WTO Obligations:* Antigua and Barbuda generally demonstrates a commitment to fulfill its WTO obligations on schedule. Antigua and Barbuda ratified the WTO Trade Facilitation Agreement (TFA) in 2017. Ratification of the TFA is an important signal to investors of the country's commitment to improving its business climate for trade. Antigua and Barbuda has already implemented several TFA requirements.

*Market Access/WTO Rules:* Antigua and Barbuda treats foreign and local investors equally with respect to the establishment, acquisition, expansion, management, conduct, operation, and sale or other disposition of investments in its territory.

<sup>56</sup> Criteria for some beneficiary countries are not addressed due to insufficient information.

*Reverse Preferences:* During the reporting period, Antigua and Barbuda did not afford preferential treatment to the products of a developed country, other than the United States. Antigua and Barbuda is a member of CARIFORUM, and party to the CARIFORUM–European Union (EU) Economic Partnership Agreement (EPA) as well as the CARIFORUM-United Kingdom EPA.

*Protection of Intellectual Property:* Antigua and Barbuda formally accepted the 2005 Protocol amending the WTO *Trade-Related Aspects of Intellectual Property Rights* (TRIPS) Agreement in May 2021. Antigua and Barbuda has an extensive legislative framework supporting the protection of intellectual property rights. However, enforcement efforts are inconsistent. Antigua and Barbuda is a member of the United Nations (UN) World Intellectual Property Organization (WIPO). It is a signatory to the *Paris Convention for the Protection of Industrial Property*, the *Patent Cooperation Treaty*, the *Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks*, and the *Berne Convention for the Protection of Literary and Artistic Works*.

*Intellectual Property/Broadcast Copyright Violations:* The United States is unaware of any cases where government-owned entities have broadcast copyrighted material belonging to U.S. copyright-holders without their express consent during the reporting period.

*Provision of Internationally Recognized Worker Rights:* Antigua and Barbuda has ratified all 10 of the ILO core labor conventions. The law provides for the right of public-sector and private-sector workers to form and join independent unions. The law also provides for the right to bargain collectively and conduct legal strikes, but it imposes several restrictions on the right to strike.

Antigua and Barbuda’s labor code gives the Minister of Labor the authority to issue orders, which have the force of law, to establish a minimum wage. The law provides that workers are not required to work more than a 48-hour, six-day workweek and be paid for overtime work at 1.5 times the employee's basic hourly wage after exceeding 40 hours in the workweek. The Ministry of Labor puts few limitations on overtime, allowing it in temporary or occasional cases, but it does not allow employers to make regular overtime compulsory.

The law includes occupational safety and health provisions. The Ministry of Labor reported that workers are allowed to remove themselves from unsafe situations that endanger their health or safety without jeopardizing their employment. The ministry has the authority to require special safety measures, not otherwise defined in the law, for worker safety.

The law prohibits all forms of forced or compulsory labor, and the government effectively enforced the law when specific complaints were filed. The law prescribes penalties of 20-30 years’ imprisonment and significant fines. Antigua and Barbuda remained on Tier 2 of the State Department's 2023 Trafficking in Persons (TIP) Report, due to its efforts to eliminate trafficking.

Antiguan and Barbudan law stipulates a minimum working age of 16 years, although work prohibitions do not apply to family businesses. No list of hazardous work exists for the protection of those younger than 18. In some circumstances, children under 16 are eligible for employment with restrictions, such as working only during non-school hours and working only a certain

number of hours. Persons under 18 may not work past 10 p.m., except in certain sectors, and in some cases must have a medical clearance to obtain employment.

*Commitments to Eliminate the Worst Forms of Child Labor:* Antigua and Barbuda has laws containing definitions that collectively constitute the worst forms of child labor, but specific details such as on penalties are not provided in any single statute. Government enforcement of these laws is considered to be adequate.

*Transparency in Government Procurement:* Antigua and Barbuda is not a signatory of the WTO Government Procurement Agreement (GPA). As a member of the OECS, Antigua and Barbuda maintains open and transparent government policies that come under the purview of the Procurement Administration Act 2011. The United States is not aware of any non-competitive bidding procedures. Antigua and Barbuda participates in the development of the Framework for Regional Integration of Public Procurement, which upon implementation, makes provisions for the use of standard bidding documents and standard operating procedures within the Caribbean Community.

*Arbitral Awards:* The United States is not aware of any cases where Antigua and Barbuda failed to act in good faith in recognizing arbitral awards in favor of U.S. citizens during the reporting period.

*Nationalization/Expropriation:* There is an unresolved dispute regarding the 2007 expropriation of an American-owned property, the Half Moon Bay Hotel. Following the expropriation, the owners initiated legal action to enforce their rights under Antigua and Barbuda's Land Acquisition Act. A 2014 Privy Council court decision ordered the Government of Antigua and Barbuda to pay the former property owners \$39.8 million in compensation. As of 2022, the courts dismissed the government's appeal of a 2018 court decision which ruled in favor of the claimants. The courts ruled that the outstanding costs due to the claimants should be assessed by the High Court to be paid promptly and in full. The government has not made any additional payments to the claimants since 2020 and to date, the government has paid them approximately \$26.6 million of the amount due.

*Extradition:* The United States and Antigua and Barbuda have signed a treaty regarding the extradition of citizens, including those from the United States. Both parties are also signatories to a mutual legal assistance treaty.

*Implementation of the Inter-American Convention against Corruption (IACAC):* Antigua and Barbuda has ratified the IACAC. Antiguan and Barbudan law provides criminal penalties for corruption by officials, and the government generally implements these laws if corruption is proven. The Integrity in Public Life Act requires all public officials to disclose all income, assets (including those of spouses and children), and personal gifts received while in public office. An independent Integrity Commission, established by the act and appointed by the Governor General, receives and investigates complaints regarding noncompliance with or violations of this law or of the Prevention of Corruption Act. The Office of National Drug and Money Laundering Control Policy is the independent law enforcement agency with specific authority to investigate reports of suspicious activity concerning specified offenses and the proceeds of crime. The

Freedom of Information Act gives citizens the statutory right to access official documents from public authorities and agencies and created a commissioner to oversee the process. The Act created a special unit mandated to monitor and verify disclosures. By law, the disclosures are not public. There are criminal and administrative sanctions for noncompliance.

*Counternarcotics Cooperation:* Antigua and Barbuda is not identified as a major drug transit or major illicit drug producing country under the provisions of the Foreign Assistance Act of 1961. Antigua and Barbuda has a working relationship with the United States on counternarcotics operations, resulting in major drug confiscations and maritime interdictions.

As a substantial offshore center with a large financial sector compared to other countries in the Eastern Caribbean, Antigua and Barbuda does continue to be vulnerable to money laundering and other financial crimes. The Office of National Drug and Money Laundering Control Policy has a four-pronged approach to combatting narcotics trafficking and money laundering via the reporting of financial intelligence and investigation, anti-money laundering and countering the financing of terrorism (AML/CFT) compliance, anti-drug strategy, and counter-narcotics operations. The Royal Police Force of Antigua and Barbuda is responsible for investigating drug trafficking, money laundering, terrorist financing, and other financial crimes.

The United States supports a wide range of efforts designed to address crime and violence affecting citizens of Antigua and Barbuda, primarily through the Caribbean Basin Security Initiative (CBSI). CBSI is a security partnership between the United States and Caribbean countries that seeks to substantially reduce illicit trafficking, advance public safety and citizen security, and prevent youth crime and violence. Antigua and Barbuda has extradition and mutual legal assistance treaties in force with the United States. Antigua and Barbuda has ratified the *Inter-American Convention on Extradition* and the *Inter-American Convention on Mutual Assistance in Criminal Matters*. The United States maintains bilateral agreements with Antigua and Barbuda to suppress illicit traffic by sea.

*Trade-Distorting Measures:* Export subsidies are addressed in the Customs Duties (Dumping and Subsidies) Act of 1959, which was notified to the WTO in 2002. An update to this law is currently under review by the Ministry of Legal Affairs.

*Self-Help Measures:* Diversification of the economy remains a priority and Antigua and Barbuda strongly encourages foreign direct investment (FDI), particularly in industries that create jobs, enhance economic activity, earn foreign currency, and have a positive impact on its citizens. The government remains committed to improving the business climate to attract more foreign investment.

*Contribution to Regional Revitalization:* Antigua and Barbuda encourages investments that will create jobs and increase exports and foreign exchange earnings. Antigua and Barbuda's trade policies, and in particular those within the OECS and CARICOM, seek to contribute to the revitalization of the CBI region.

*Cooperation in Administration of the CBERA:* Antigua and Barbuda continues to cooperate with the United States in the administration of CBERA.

## Aruba

*Economic Review:* Aruba has an open economy that encourages free enterprise and competition, maintaining a clear distinction between the public and private sectors. Due to its small scale, minimal manufacturing and the absence of commercially exploitable mineral resources, the island is heavily dependent on imports, and therefore engages in foreign trade on a large scale. Aruba has historically been one of the most developed Caribbean economies with high GDP per capita.

Indicator	2022 Data
Population*	106,445
GDP*	\$3,130,000,000
GDP per capita*	\$29,342.10
U.S. Exports**	\$583,524,352
U.S. Imports**	\$16,101,406
U.S. Trade Balance**	\$567,422,946
Source: The World Bank*; U.S. International Trade Commission DataWeb**	

The economy of Aruba has recovered since COVID-19 travel restrictions hampered tourist activity, but pandemic-era debts have resulted in a loss of fiscal autonomy. The IMF projects that the country's GDP will grow by just 1.2 percent in 2024, after growing by 2.3 percent in 2023. The IMF attributes this growth to the continued recovery of the tourism sector, which accounts for more than 80 percent of the island's economic activity. The IMF also expects the construction sector, driven by tourism infrastructure investment, to expand in 2024.

In 2020, Aruba signed a reform and development agreement with the Netherlands after receiving USD \$560 million in loans to cover pandemic-era fiscal deficits and assist Aruba's hardest-hit residents. In exchange for the debt, Aruba agreed to implement a package of fiscal reforms which have reined in public borrowing and expenditure. The debt is slated for repayment starting October 2023, but Aruba and the Netherlands have entered into negotiations to restructure the debt.

*Commitment to Undertake WTO Obligations:* In 1995, the Kingdom of the Netherlands accepted the WTO Agreement on behalf of Aruba, but the Government of Aruba has not finalized its WTO accession process. Aruba enjoys an autonomous status under the Statute of the Kingdom of the Netherlands, as modified with respect to Aruba in 1986. Aruba does not form part of the European territory of the Kingdom of the Netherlands. Aruba has also not sought FTAs other than with its fellow Dutch Caribbean islands. Since foreign relations fall under "Kingdom affairs," only the Kingdom of the Netherlands can conclude treaties.

*Market Access/WTO Rules:* Aruba provides fair and reasonable access to its market for U.S. goods and services, its largest trading partner. Due to Aruba's geography and lack of natural resources the island relies on imported goods in nearly every sector of consumption.

*Reverse Preferences:* Preferential treatment is not afforded to the products of a developed country, other than the United States.

*Protection of Intellectual Property:* Aruba is a party to the *Paris Convention for the Protection of Industrial Property* and to other treaties related to intellectual property (IP), such as the *Patent Cooperation Treaty* and the *Berne Convention for the Protection of Literary and Artistic Works*. Aruba is additionally a contracting party of the Nice Agreement and the Vienna Agreement. The Government of Aruba has drafted an Industrial Design Act, and artistic works are protected by Aruba's Copyright Act and the Berne Convention. Although Aruba is not a full member of the WTO, as an autonomous constituent within the Kingdom of the Netherlands it is subject to the TRIPS Agreement.

Aruba's Bureau of Intellectual Property registers trademarks and copyrights and includes a patent division.

*Intellectual Property/Broadcast Copyright Violations:* The United States is not aware of IP/broadcast copyright violations occurring in Aruba during the reporting period. The Government of Aruba Telecommunications Bureau monitors media to protect U.S. right holders and to ensure royalties are paid if warranted.

*Provision of Internationally Recognized Worker Rights:* Aruba is a party to five of the 10 core ILO conventions – those related to freedom of association, forced labor, and child labor. Employees are free to associate with workers' organizations and trade unions. The statutory limit on working hours is 8½ hours per day or 48 hours per week. Each employee is legally entitled to paid holidays of at least 15 workdays per year.

The Technical Inspection Service promotes safety in the broadest sense by optimizing working conditions of employees in companies and examining unsafe situations and accidents. Employers are required to insure employees against workplace accidents so that they receive financial compensation if they suffer injury at work.

Aruba's laws prohibit all forms of forced or compulsory labor, and labor trafficking is criminalized with sufficiently stringent penalties. Aruba was upgraded to Tier 2 in the State Department's 2023 TIP Report as a result of its increasing efforts to identify and provide support services for more trafficking victims and increased screening of vulnerable populations.

The minimum working age in Aruba is 15 years.

*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. Child labor is prohibited. Inspectors of the Ministry of Education, Sport and Culture enforce laws and policies to protect children. The United States is not aware of any reports of child labor during the reporting period. Since 2012, education is compulsory for all children and minors in Aruba up to 18 years of age.

*Transparency in Government Procurement:* On October 25, 1996, the WTO Agreement on Government Procurement (GPA) entered into force for the Netherlands with respect to Aruba.

*Arbitral Awards:* The United States is not aware of any case where Aruba failed to act in good faith in recognizing arbitral awards in favor of U.S. citizens during the reporting period. Aruba's judicial system, which is derived mainly from the Dutch system, operates independently. Jurisdiction lies with the Joint Court of Justice of Aruba and the Supreme Court of Justice in the Netherlands.

*Nationalization/Expropriation:* The United States is not aware of any cases where the Government of Aruba nationalized or expropriated the property of U.S. citizens or corporations during the reporting period.

*Extradition:* The extradition treaty between the Kingdom of the Netherlands and the U.S. signed in The Hague in 1980 applies to Aruba.

*Implementation of the Inter-American Convention against Corruption (IACAC):* The Kingdom of the Netherlands is not a party to the IACAC, which therefore does not apply to Aruba. However, Aruba pursues an active anticorruption policy in coordination with the Kingdom of the Netherlands. Aruban laws provide criminal penalties for official corruption. There were isolated reports of government corruption over recent years and all of these cases have gone to court and most led to a conviction or are still under investigation. There are no laws requiring financial disclosure; however, for most senior positions, each organization has its own regulations to avoid conflicts of interest. Aruba has no Ombudsman.

*Counternarcotics Cooperation:* Aruba is a partner in U.S. counternarcotics activities. The Aruban police force, Korps Politie Aruba, is one of the strongest regional partners in the fight against narcotics trafficking. It 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 U.S. The obligations of the Netherlands as a party to the 1961 UN Single Convention on Narcotic Drugs, as amended, and the UN Convention against Transnational Organized Crime and its three Protocols apply to Aruba, Curaçao, and Sint Maarten. Aruba also demonstrated a commitment to the counter narcotics effort by hosting a U.S. Air Force (USAF) contingent at Reina Beatrix International Airport from 2000 to 2022. Aruba also hosts U.S. Customs and Border Protection (CBP) preclearance personnel at Reina Beatrix airport. These officers occupy facilities financed and built by the Government of Aruba. CBP Aruba is regularly involved in significant seizures of cocaine.

*Trade-Distorting Measures:* The Government of Aruba does not offer export subsidies or impose trade-distorting export performance requirements.

*Self-Help Measures:* The Government of Aruba has a six-point plan to diversify the economy which includes construction of a new airport and the promotion of new niche tourism markets, innovation, agriculture, logistics and transportation, and the creative arts. The Government of Aruba is also currently in negotiations with a U.S. based company to adopt cost-effective lower carbon alternative power generation.

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

*Cooperation in Administration of the CBERA:* Aruba continues to cooperate with the United States in the administration of the CBERA and its Department of Economic Affairs regularly promotes CBERA to the business community.

## The Bahamas

*Economic Review:* The World Bank recognizes The Bahamas as a developed country with a 2022 per capita GDP of \$31,458, the second highest in the English-speaking Caribbean. The statistics are driven by a small percentage of high-net-worth individuals while most Bahamians earn far less. The Bahamas relies on imports

Indicator	2022 Data
Population*	409,980
GDP*	\$12,897,400,000
GDP per capita*	\$31,458.30
U.S. Exports**	\$4,956,006,717
U.S. Imports**	\$1,720,657,028
U.S. Trade Balance**	\$3,235,349,689

Source: The World Bank\*; U.S. International Trade Commission DataWeb\*\*

from the United States to satisfy its fuel and food needs and conducts more than 85 percent of its international trade with the United States. U.S. exports to The Bahamas were valued at \$5.6 billion in 2022, resulting in a \$3.9 billion U.S. trade surplus.

The Bahamian economy continues to be vulnerable to natural disasters and external shocks. In early 2023, the World Bank estimated real GDP growth of 4.3 percent in 2023 and two percent in 2024 and lauded the resiliency of The Bahamas' economy. Unemployment rates have levelled off to below pre-pandemic levels at 8.8 percent.

Tourism and related services account for 70 percent of the country's GDP and employ just over half the workforce. To diversify the economy, the government has promoted investment in niche tourism, renewable energy, light manufacturing, digital assets and fintech, technology, agriculture, fisheries, and extractive industries. The government has also committed to digitizing business services and jumpstarting domestic productivity through small and medium enterprises, especially those operating in non-traditional sectors.

Financial services are the second most important sector of the economy, accounting for 15 percent of GDP. Grand Bahama, the northern-most Bahamian island, has the most diversified economic activity in the country. Its capital, Freeport, is a free trade zone that hosts many U.S.-owned businesses.

*Commitment to Undertake WTO Obligations:* The Bahamas is not yet a member of the WTO and has had a protracted accession process since first applying for membership in 2001. In 2018, the government set a goal of WTO accession by the end of 2019, however The Bahamas later confirmed it was unlikely to happen before 2025. The Bahamas continues to review various policies and legislation to ensure its alignment with international best practices. Although no trade-related legislation has been enacted during the reporting period, the government confirms WTO-complaint legislation and regulations have been drafted to satisfy obligations under the *WTO Agreement on the Application of Sanitary and Phytosanitary Measures* (SPS Agreement), *Agreement on Technical Barriers to Trade* (TBT Agreement), *Agreement on Trade-Related Investment Measures* (TRIMs), *Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994*, *Agreement on Import Licensing Procedures*, and TRIPS.

*Market Access/WTO Rules:* The Bahamas reserves 15 sectors of the economy for Bahamian investors: wholesale and retail operations (although international investors may engage in the wholesale distribution of any product they produce locally); agencies engaged in import or export; real estate agencies and domestic property management; domestic newspapers and magazine publications; domestic advertising and public relations firms; nightclubs and restaurants except specialty, gourmet, and ethnic restaurants, and those operating in a hotel, resort or tourist attraction; security services; domestic distribution of building supplies; construction companies except for special structures requiring foreign expertise; personal cosmetic or beauty establishments; commercial fishing including both deep water fishing and shallow water fishing of crustaceans, mollusks, fish, and sponges; auto and appliance services; public transportation including boat charters; and domestic gaming. The government does make exceptions to this policy on a case-by-case basis, and the United States is aware that the Bahamian government regularly grants foreign investors full market access in these sectors.

Except for these reserved sectors, the Bahamian government does not give preferential treatment to investors based on nationality. Investors have equal access to incentives, including land grants, tax concessions, and direct marketing and budgetary support. The government provides guidelines for investment through its National Investment Policy, administered by the Bahamas Investment Authority, and through the Commercial Enterprises Act administered by the Ministry of Economic Affairs.

To enhance food security, promote economic diversification, and ensure market access for local producers, the Bahamian government recently announced 40 percent of food items purchased by hotels and restaurants must come from local farmers and fishers. This policy is not yet supported by legislation, although several international companies have complied as part of their corporate social responsibility initiatives.

*Reverse preferences:* During the reporting period, The Bahamas did not afford preferential treatment to the products of a developed country, other than the United States. The Bahamas is a member of CARIFORUM, and party to the CARIFORUM-EU EPA and the CARIFORUM-United Kingdom EPA. CARIFORUM countries have committed to progressively reduce their tariffs to zero for 87 percent of EU products by 2033. In March 2019, the CARIFORUM-United Kingdom EPA was signed and it includes a similar tariff reduction schedule.

*Protection of Intellectual Property:* The Bahamas has not yet acceded to the WTO and therefore has no obligations under the TRIPS Agreement. It has been a Member of WIPO since 1977 but has not ratified the WIPO Internet Treaties. The Registrar General's Office has an intellectual property registry covering patents, trademarks, copyrights, integrated circuits, false trade descriptions, new plant varieties, and geographical indications.

*Intellectual Property/Broadcast Copyright Violations:* The United States is unaware of any cases where government-owned entities have broadcast copyrighted material belonging to U.S. copyright-holders without their express consent.

*Provision of Internationally Recognized Workers Rights:* The Bahamas is a party to eight of the 10 core ILO conventions – those related to the rights of freedom of association, collective

bargaining, forced labor, child labor, equal remuneration, and non-discrimination. The law provides for the right of workers to form and join independent unions, participate in collective bargaining, and conduct legal strikes. The law prohibits anti-union discrimination.

The law provides for a 40-hour workweek, a 24-hour rest period, and time-and-a-half payment for hours worked beyond the standard workweek. The law stipulates paid annual holidays and prohibits compulsory overtime but does not place a cap on overtime.

The government set occupational safety and health standards appropriate for the main industries. However, workers do not have the right to refuse to work under hazardous conditions.

The law prohibits all forms of forced or compulsory labor. The Bahamas remained on Tier 1 of the State Department's 2023 TIP Report for its efforts to eliminate trafficking.

Child labor laws are in line with international standards. The government permits light, non-hazardous work for children age 12 and older, but does not have legislation specifically outlining light work activities permitted. The law prohibits the employment of children younger than age 14 for industrial work and any work during school hours or between the hours of 8 p.m. and 6 a.m. Children between the ages of 14 and 18 may work outside of school hours under specific conditions.

*Commitments to Eliminate the Worst Forms of Child Labor:* Bahamian law prohibits the worst forms of child labor. The government generally enforced its child labor laws, periodically inspecting grocery stores and other establishments known to employ minors, to ensure the enforcement of laws governing child labor. Nevertheless, some children in The Bahamas have become victims of child labor, particularly among undocumented migrant communities. The Bahamian Department of Labour received no reports of significant violations of child labor laws during the reporting period.

*Transparency in Government Procurement:* The Bahamas is not a signatory of the WTO GPA. Although international and domestic investments remain relatively consistent, the Bahamian government has lacked easy to follow investment procedures and definitive legislation. U.S. and domestic companies have reported perceived corruption in government procurement and in the FDI approvals process. These companies complain the tender process for public contracts is inconsistent, and it is difficult to obtain information on the status of bids.

To increase levels of accountability and transparency, the government passed an updated Public Procurement Act, refreshed its eProcurement and Suppliers Registry System, and launched a new eProcurement platform in March 2023.

*Nationalization/Expropriation:* Property rights are protected under Article 27 of the Bahamian constitution, which prohibits the deprivation of property without prompt and adequate compensation. The United States is not aware of any cases where the government nationalized or expropriated the property of a U.S. citizen or corporation during the reporting period.

*Extradition:* The Bahamas and the United States cooperate closely on extradition matters. The Bahamas ratified the 1987 Treaty on Mutual Legal Assistance in Criminal Matters and the 1990 Extradition Treaty with the United States.

*Implementation of the Inter-American Convention against Corruption (IACAC):* The Bahamas ratified the IACAC in 2000, and has been a party to the mechanism for follow-up on the implementation on the IACAC since 2001. The Bahamas has national anti-corruption and anti-bribery laws in place, including criminal penalties for corruption by public officials including a fine of up to \$10,000, a prison term of up to four years, or both. However, there continues to be limited enforcement of conflicts of interest related to government contracts and isolated reports of officials engaged in corrupt practices, including by accepting small-scale “bribes of convenience.” The political system is beleaguered by reports of corruption, including allegations of widespread patronage, the routine directing of contracts to political supporters, and favorable treatment for wealthy or politically connected individuals.

*Counternarcotics Cooperation:* The Bahamas is a party to the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances and has cooperated extensively with the United States on counternarcotics and law enforcement issues. The island is identified as a major drug transit or major illicit drug producing country under the provisions of the Foreign Assistance Act of 1961, but continues to meet certification criteria under the Act.

To counter drug trafficking concerns, U.S. Government assistance aims to increase the Royal Bahamas Police Force law enforcement and counternarcotic capabilities to enhance its ability to participate in Operation Bahamas, Turks and Caicos (OPBAT), a multi-national, interagency security effort, which maintains a 24/7 watch over the northern Caribbean basin from its small operations center inside the U.S. Embassy in Nassau. OPBAT operations in The Bahamas employ the U.S. Drug Enforcement Agency (DEA), U.S. Coast Guard, and CBP resources in conjunction with local law enforcement to intercept shipments of illegal drugs and conduct investigations into possible shipment efforts. The Bahamas has partnered with the other Caribbean nations and the United States under the CBSI.

*Trade-Distorting Measures:* The United States is not aware of any export subsidies or trade-distorting practices during the reporting period.

*Self-Help Measures:* The Bahamas regularly enacts economic legislation with the goals of creating jobs, earning foreign exchange, transferring technology, enhancing skills, and contributing to economic growth. The government continues to focus on the diversification of the economy.

*Contribution to Regional Revitalization:* The Bahamas is a member of CARICOM, which seeks to contribute to the revitalization of the CBI region.

*Cooperation with the United States in the Administration of CBERA:* The Bahamas government and select members of the private sector cooperate in the administration of CBERA.

## Barbados

*Economic Review:* Barbados's GDP was 5.7 billion USD in 2022. The economy has seen some recovery over the last two years particularly in the tourism sector. Like most Eastern Caribbean countries, Barbados continues to grapple with supply-chain delays and surging consumer food and fuel prices exacerbated by Russia's February 24, 2022, full-scale invasion of Ukraine. As of May 2023, the IMF forecast the Barbadian economy to grow by 4.9% by the end of 2023.

Indicator	2022 Data
Population*	281,630
GDP*	\$5,638,000,000
GDP per capita*	\$20,018.52
U.S. Exports**	\$679,313,096
U.S. Imports**	\$51,179,357
U.S. Trade Balance**	\$628,133,739

Source: The World Bank\*; U.S. International Trade Commission DataWeb\*\*

The Government of Barbados entered a standby arrangement with the IMF in late 2018. The \$290 million USD Barbados Economic Recovery and Transformation (BERT) program aimed to decrease the debt-to-GDP ratio, strengthen the balance of payments, and stimulate growth. After exiting the BERT program at the end of 2022, the country renewed discussions to enter a new arrangement with the Fund in early 2023. The near 40-million-dollar program known as BERT 2022 is supported by the IMF's Extended Fund Facility and is being implemented under the Resilience and Sustainability Facility Arrangement. Following an IMF Executive Board review in June 2022, around \$19 million (38 million Barbados dollars) in Special Drawing Rights is available to Barbados under both facilities. This new arrangement is expected to introduce reforms for state-owned enterprises, tax, public procurement, and customs exemption frameworks, and public finance management. It is also expected to support climate resilience and green investment efforts.

*Commitment to Undertake WTO Obligations:* Barbados generally demonstrated a commitment to fulfill its WTO obligations on schedule. Barbados ratified the WTO Trade Facilitation Agreement in 2018 and has begun implementing its requirements.

*Market Access/WTO Rules:* Barbados treats foreign and local investors equally with respect to the establishment, acquisition, expansion, management, conduct, operation, and sale or other disposition of investments in its territory.

*Reverse Preferences:* During the reporting period, Barbados did not afford preferential treatment to the products of a developed country, other than the United States. Barbados is a member of CARIFORUM, and party to the CARIFORUM–EU EPA. CARIFORUM countries have committed to progressively reduce their tariffs to zero for 87 percent of EU products by 2033. In March 2019, the CARIFORUM-United Kingdom EPA was signed and it includes a similar tariff reduction schedule.

*Protection of Intellectual Property:* As a WTO Member, Barbados must act consistently with the TRIPS Agreement. Barbados remains a WIPO member and is a party to some international intellectual property treaties, including the *Berne Convention on Literary and Artistic Works* and the *Nice Agreement Concerning the International Classification of Goods and Services for the*

*Purposes of the Registration of Marks.* Barbados’s domestic legislation covers a wide range of rights, including patents, trademarks, industrial designs, copyrights, integrated circuit topographies, plant breeders’ rights, geographical indications, and unfair competition.

*Intellectual Property/Broadcast Copyright Violations:* Barbados remains on the Watch List in the USTR’s 2023 Special 301 report due to concerns in several areas. The United States remains concerned about unauthorized retransmission of U.S. broadcasts and cable programming by local cable operators in Barbados, particularly state-owned broadcasters, without adequate compensation to U.S. right holders. Delayed implementation of the WIPO Internet Treaties that Barbados acceded to in 2019, the lack of enforcement of intellectual property judgments, insufficient resources for law enforcement, weak enforcement of existing legislation, and long-standing backlogs in the judicial system are also concerns. Finally, the United States has continuing concerns about the refusal of Barbadian TV and radio broadcasters and cable and satellite operators to pay for public performances of music.

*Provision of Internationally Recognized Worker Rights:* Barbados has ratified eight of the 10 core ILO conventions—those related to freedom of association, collective bargaining, forced labor, child labor, equal remuneration, and non-discrimination. The law of Barbados provides for the right of workers to form and join unions and conduct legal strikes, but it does not specifically recognize the right to collective bargaining. Moreover, the law does not obligate employers to recognize unions or to accept collective bargaining. The law prohibits antiunion discrimination and protects workers engaged in union activity.

The standard legal workweek is 40 hours in five days. The law requires overtime payment of time-and-a-half for hours worked in excess of the legal standard and prescribes that all overtime must be voluntary. The law does not set a maximum number of overtime hours.

The government set occupational safety and health standards that were current and appropriate for its industries. During the reporting period, the government updated the Shaw Act, a key occupation, safety, and health law, to expand regulations and add employers to the list of persons who may be penalized for contravening the act.

The Barbados constitution prohibits all forms of forced or compulsory labor, and labor trafficking is criminalized. Barbados remained on Tier 2 in the State Department’s 2023 TIP Report for its overall increasing efforts to eliminate trafficking, such as increasing investigations, continuing prosecution of five traffickers, and cooperating with other governments and an international organization on law enforcement and victim screening.

The Employment Act sets the minimum employment age at 16 for certain sectors, including mines, quarries, manufacturing, construction, and demolition work. The minimum age for hazardous work is set at 18, but the types of prohibited hazardous work are not identified. By law, children ages 14-16 may engage in light work with parental consent, however the law does not provide a list of occupations constituting light work.

*Commitments to Eliminate the Worst Forms of Child Labor:* Barbados has laws prohibiting the worst forms of child labor. The Ministry of Labor is responsible for enforcing child labor laws.

The government adequately enforced these law and penalties were commensurate with those for analogous crimes. During 2022, there were no confirmed reports of the worst forms of child labor.

*Transparency in Government Procurement:* Barbados is not a signatory to the WTO GPA. Barbados passed a new Public Procurement Act in 2021 that governs public procurement and promotes transparency, integrity, efficiency, value for money, and fair competition in public procurement. The General Tenders Committee (GTC) follows competitive bidding standards for most contracts and acquisitions, and it oversees the procurement process with respect to goods and services above specified limits. The Cabinet of Barbados is the approving authority for procurement below the specified limits for the GTC. The Drug Tenders Committee oversees the procurement of drugs and pharmaceuticals. The Public Procurement Act also establishes a tribunal for complaints against the public procurement process. Barbados is party to the development of the Framework for Regional Integration of Public Procurement and the negotiation of the CARICOM Protocol on Public Procurement, which upon implementation will regulate the use of Standard Bidding Documents and Standard Operating Procedures within the CARICOM.

*Nationalization/Expropriation:* The United States is not aware of any expropriation cases against U.S. citizens or corporations during the reporting period. Civil law protects physical property and mortgage claims. The Constitution of Barbados and Chapter 308 of the Companies Act contain provisions permitting the government to acquire property for public use upon prompt payment of compensation at fair market value.

*Extradition:* Barbados and the United States have a bilateral extradition treaty. Barbados and the United States also have a mutual legal assistance treaty.

*Implementation of the Inter-American Convention against Corruption (IACAC):* Barbados has signed and ratified the IACAC. Barbados provides criminal penalties for official corruption, and the government generally implements these laws effectively. In 2012, Barbados enacted the Prevention of Corruption Act, which includes standards of integrity in public life. In addition, the Integrity in Public Life Bill of 2018, currently pending in parliament after passing the lower house in July 2023, seeks to establish an integrity commission, to promote the integrity of government officials, and strengthen measures for the prevention, detection, investigation, and prosecution of acts of corruption.

*Counternarcotics Cooperation:* Barbados is not identified as a major drug transit or major illicit drug producing country under the provision of the Foreign Assistance Act of 1961. The Barbados Police Service has a Drug Squad focusing on the policies, goals, strategies, and legislation to combat narcotics trafficking. Barbados is a regional financial center with a sizeable international banking company presence. The country's susceptibility to money laundering is primarily associated with the domestic sale of illegal narcotics and the laundering of foreign criminal proceeds.

The United States supports a wide range of efforts designed to address crime and violence affecting citizens of Barbados, primarily through the CBSI. The United States enjoys strong

operational cooperation with Barbados on drug control matters and maintains bilateral agreements with Barbados to combat illicit traffic by sea.

*Trade-Distorting Measures:* The Customs Duties (Dumping and Subsidies) Act of 1959 continues to be the only law in Barbados with respect to export subsidies.

*Self-Help Measures:* Barbados enacts economic legislation with the goals of creating jobs, earning foreign exchange, transferring technology, enhancing skills, achieving socio-economic and sustainable development benchmarks, and contributing to economic growth. The government continues to focus on the diversification of the economy to transform development.

*Contribution to Regional Revitalization:* Barbados encourages policies that will create jobs and increase exports and foreign exchange earnings. Barbados's trade policies, particularly those within CARICOM, seek to contribute to the revitalization of the CBI region.

*Cooperation in Administration of the CBERA:* Barbados is committed to enhanced cooperation with the United States in the administration of CBERA.

## Belize

*Economic Review:* Belize has a small, open economy, based primarily on private enterprise, with agriculture, tourism, and services as the primary sectors. The country has the lowest population density in Central America (441,471 inhabitants as of December 2022 in a total land area of 8,867 square miles). Given its limited domestic market, trade is especially important, but poor infrastructure adds to the costs of transportation to both domestic and international markets.

Indicator	2022 Data
Population*	405,270
GDP*	\$2,824,000,000
GDP per capita*	\$6,968.40
U.S. Exports**	\$494,373,225
U.S. Imports**	\$60,839,782
U.S. Trade Balance**	\$433,533,443

Source: The World Bank\*; U.S. International Trade Commission DataWeb\*\*

Rebounding from the COVID-19 pandemic, Belize's GDP grew by 12.1 percent in 2022 after a 15.2 percent increase in 2021. The robust performance was due to increased output in the services and manufacturing sectors, partly offset by a contraction in primary production. Additionally, the unemployment rate fell to an unprecedented 5.0 percent in October 2022 compared to 9.2 percent in September 2021. However, after two decades of relative price stability, inflation in Belize ballooned from 0.1 percent in 2020 to 6.3 percent in 2022. Higher prices on imported goods such as food, fuel, and fertilizer, as well as increased costs related to supply chain disruptions as a result of Russia's February 24, 2022, full-scale invasion of Ukraine, are widening the current account deficit.

In 2021, Belize made pivotal steps toward debt sustainability by completing its Superbond debt restructuring, a novel financial Blue Bond deal with The Nature Conservancy, which reduced public debt by 12 percent of GDP and significantly expanded marine environment protections. The U.S. Development Finance Corporation provided critical political risk insurance that enabled the deal. Belize's foreign investment regime is generally open, with 100 percent foreign ownership permitted in most sectors. Debt to GDP fell further from 80.1 percent in 2021 to 68.5 percent in 2022.

As Belize is a small, open economy with strong cultural and familial ties to the United States. Belize consumer taste leans towards U.S. goods and services. The United States accounted for 41.6 percent of Belize's imports in 2022 and is the single largest source of goods and services imports to Belize. U.S. service providers are prominent in tourism-related activities including the airline, hotel, and hospitality service industries.

*Commitment to Undertake WTO Obligations:* Belize has generally adhered to the WTO agreements and reporting system. However, its participation in WTO deliberations is limited as it remains one of the few countries with non-resident diplomatic representation to the WTO through the Belizean Mission in Belgium.

*Market Access/WTO Rules:* U.S. firms have identified challenges in participating and competing in areas related to the bidding, procurement, and dispute settlement processes, particular with state owned enterprises (SOEs).

*Reverse Preferences:* During the reporting period, Belize did not afford preferential treatment to the products of a developed country, other than the United States. Belize is a member of CARIFORUM, and party to the CARIFORUM–EU EPA. CARIFORUM countries have committed to progressively reduce their tariffs to zero for 87 percent of EU products by 2033. In March 2019, the CARIFORUM-United Kingdom EPA was signed and it includes a similar tariff reduction schedule. Belize and the Republic of China (Taiwan) signed an Agreement on Economic Cooperation as well as an Open Sky Air Services Agreement in 2020.

*Protection of Intellectual Property:* The Belize Intellectual Property Office administers intellectual property laws and functions as Belize’s national intellectual property registry. Its mandate covers the protection of copyrights, industrial designs, patents, trademarks, new plant varieties, and topographies of integrated circuits. In 2022, Belize passed the Trademarks (Amendment) Act and the Patents (Amendment) Act. The Trademarks (Amendment) Act gives effect to the Protocol relating to the Madrid Agreement concerning the International Registration of Marks (“the Madrid Protocol”). The Patents (Amendment) Act allows for greater administrative and operational efficiency for the office of the patent examiner, patent officer, trademark supervisors, and trademark examiners. In practice, however, there is no active enforcement of IP protections.

The Customs Department in Belize struggles to effectively police counterfeit goods entering Belize due to limited staffing. IP rights of non-resident brands are generally not upheld as an in-country representative is required to confirm goods are counterfeit. In 2020 and 2021, Belize authorities intercepted two shipments of counterfeit goods per year. In 2022, they reported intercepting five shipments, for a total value of USD 70,000 goods intercepted between 2020 and 2022.

*Intellectual Property/Broadcast Copyright Violations:* The United States is not aware of any government-owned entity that broadcast copyrighted material belonging to U.S. copyright holders without consent. In 2022, there was no report on seizures of counterfeit goods or of pirated CDs and DVDs, and no prosecution of IP violations. However, local cable companies and television stations do broadcast content pirated from U.S. television networks and cable channels. Amendments to improve local copyright legislation are pending.

*Provision of Internationally Recognized Worker Rights:* Belize has ratified nine of the 10 ILO core labor conventions—those related to freedom of association, collective bargaining, forced labor, child labor, equal remuneration, occupational safety, and non-discrimination. The constitution prohibits all forms of forced or compulsory labor, and 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.

The law sets the work week at no more than six days or 45 hours and requires payment for overtime work.

Belizean employers are obligated to provide reasonable care for the safety of employees in the course of their employment. To provide lodging, employers are required to ensure and maintain sufficient and hygienic housing accommodations, access to clean water, and proper sanitary arrangements. No occupational safety and health legislation that governs work conditions exists due to lack of agreement among the labor unions, the chamber of commerce and industry, and the government.

The constitution prohibits and criminalizes all forms of forced or compulsory labor, however the government does not adequately enforce the law. Migrant workers are particularly vulnerable to forced labor exploitation in the agricultural and service industries. During the reporting period, Belize remained on Tier 2 of the State Department's 2023 TIP Report for significant efforts to meet minimum standards for the elimination of trafficking.

Belize does not set a minimum age of 14 for work for all sectors and does not have a list of hazardous occupations that are prohibited for children. The law allows children as young as 12 to work in “light activities” with the permission of the Labor Commissioner.

*Commitments to Eliminate the Worst Forms of Child Labor:* Belize has established laws and regulations related to child labor, but gaps exist which do not adequately protect children from the worst forms of child labor. Children in Belize are still subject to the worst forms of child labor, including in commercial sexual exploitation, sometimes because of human trafficking. Children also engage in dangerous tasks in agriculture and construction. During the reporting period, the Government of Belize approved the National Child Labor Policy and Strategy for 2022-2025 which aims to eliminate the worst forms of child labor and prioritizes addressing legislative and informational gaps, increasing child labor law compliance, and reducing barriers to education.

*Transparency in Government Procurement:* Belize is not party to the WTO Government Procurement Agreement. Belize’s Finance and Audit (Reform) Act provides standards to ensure the regulation of public revenue, expenditure, and contracting. The Government of Belize must submit purchases of over USD 2.5 million to open tendering. The Ministry of Finance outlines additional policies and procedures for government procurement in the Belize Stores Orders and Financial Orders. The Manual for the Control of Public Finances provides the framework for the registration and use of public funds to procure goods and services.

The Office of the Auditor-General was established under the Belize Constitution Act as an independent fact-finding body to hold government accountable for its stewardship of public funds and all other public property for the benefit of all Belizeans. The Office of the Auditor-General is the supreme audit institution of Belize and is empowered to audit ministries, departments, and statutory bodies. The Auditor-General is appointed by the Governor-General, on the advice of both Houses of the National Assembly.

Throughout much of 2022, key transparency and oversight bodies including the Integrity Commission, the Ombudsman’s Office, the Auditor General’s Office, and the Labor Commissioner remained vacant. While much of the appointments have been rectified, in practice,

these offices remain understaffed and under resourced to adequately undertake their respective mandates.

Despite such legislative and regulatory measures, many businesses complain that political parties practice patronage, which affects who receives licenses and wins government contracts. Patronage also results in the granting of some government land to private owners. Middle-class citizens and business owners throughout the country complain of corruption and government officials, including police, soliciting bribes. U.S. companies have also identified challenges in participating and competing in areas related to bidding, procurement, and dispute settlement processes, particular to state-owned enterprises.

*Arbitral Awards:* The United States is not aware of cases where Belize failed to act in good faith in recognizing arbitral awards in favor of U.S. citizens during the reporting period. Belize acceded to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, also known as the New York Arbitration Convention, in 2021.

*Nationalization/Expropriation:* The United States is not aware of any new expropriation cases against U.S. citizens.

*Extradition:* Belize and the United States signed an extradition treaty in 2000 and exchanged instruments of ratification in 2001. The Embassy's International Narcotics and Law Enforcement Affairs section, as well as the Regional Security Office and Department of Justice representatives have partnered with the Attorney General's Ministry to include extradition training as an element of training for the Justice Sector.

*Implementation of the Inter-American Convention against Corruption (IACAC):* Belize is a signatory of the IACAC and the UN Convention Against Corruption. Belize has passed legislation and has various offices meant to deal with official corruption, however, enforcement is weak. The Prevention of Corruption Act provides measures for establishing integrity and accountability in public life and applies to members of the National Assembly and municipal councils. The Act requires the public disclosure of statements of assets, income, and liabilities. The penalty for non-compliance is a fine of not less than US \$1,500, imprisonment for one year, or both. Fewer than 25 percent of parliamentarians and public officials comply with the Act's public disclosure requirement and the United States is not aware of any consequences being imposed for noncompliance.

Belize is a member of the Caribbean Financial Action Task Force and is currently preparing for its fourth round of mutual evaluation, a peer review process to assess the implementation of its anti-money laundering and counterterrorist financing measures. As part of its preparations, the government established a National Anti-Money Laundering Committee that has recommended a comprehensive suite of legislative reforms, along with new investigative, financial compliance and preventative measures to satisfy the mutual evaluation.

*Counternarcotics Cooperation:* The President identified Belize as a major drug transit or major illicit drug producing country under the provisions of the Foreign Assistance Act for 2023.

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 in Mexico.

The U.S. government has 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. Several U.S. government agencies including the DEA, the Department of State's International Narcotics and Law Enforcement Affairs Bureau (INL), and the Security Cooperation Office are actively engaged in improving law enforcement and military capacity nationwide, providing equipment, training, and technical assistance. INL supports infrastructure upgrades, training, and equipment provision to the Belize Police Department and the Belizean ministries involved in justice and citizen security. INL also supports border security efforts and provides advisory, programmatic, and other assistance to the Belize Border Security Working Group, a multi-agency group composed of 12 local agencies.

*Trade-Distorting Measures:* Belize manages several investment incentives, including the Fiscal Incentives Act, the Designated Processing Areas Act, the Commercial Free Zone Act, and the International Business Companies Act, the Offshore Banking Act, etc. Under these incentive regimes, the Government of Belize grants tax deferments, tax reductions, access to land and capital, and preferential access to some government concessions. However, the United States is not aware of any export subsidies or trade-distorting practices during the reporting period.

*Self-Help Measures:* Belize continues to strive towards economic sustainability through diversification of exports in the primary, secondary, and tertiary sectors. While Belize's export basket remains highly concentrated, the Belizean private sector has begun venturing into non-traditional goods for export, including coconut and coconut products, pineapples, direct consumption sugars, soursop, passion fruit, and fruit juices. To support expansion, companies have continued to invest in new technologies that will allow them to develop products higher on the value chain for external markets including the United States, the UK, the EU, an CARICOM. As Belize expands its export basket, the U.S. market will remain a priority for Belizean exporters given the market size, geographical proximity to Belize, expenditure power of U.S. consumers, and the preferences available to Belizean exporters.

*Contribution to Regional Revitalization:* Belize is a member of CARICOM, which aims to promote regional growth and stability through trade and investment. Trade within CARICOM remains Belize's fourth largest export market behind the United Kingdom, the United States, and other EU countries.

*Cooperation on CBERA Administration:* Belize is committed to enhanced cooperation with the United States in the administration of the CBERA.

## British Virgin Islands

*Economic Review:* The economy of the British Virgin Islands has traditionally been one of the more stable in the Caribbean. However, the British Virgin Islands has been hit hard by a number of factors in recent years, including the global financial crisis, the COVID-19 pandemic, and hurricanes in 2017. The British Virgin Islands economy is expected to expand at an annual average of 3.2 percent in 2023-2024 – much more slowly than in other regional tourism-dependent economies. Political leaders are focused particularly on reconstruction following 2017’s devastating hurricanes.

Indicator	2022 Data
Population*	31,305
GDP**	\$1,538,792,087 (2021)
GDP per capita**	\$49,444 (2021)
U.S. Exports***	\$445,133,532
U.S. Imports***	\$4,246,793
U.S. Trade Balance***	\$440,886,739
Source: The World Bank*; UN Statistics Division**, U.S. International Trade Commission DataWeb***	

The government has recently implemented reforms aimed at improving fiscal discipline and transparency. The territory is also working to diversify its economy by developing new industries, such as renewable energy and technology.

*Commitment to Undertake WTO Obligations:* The British Virgin Islands is not Member of the WTO, but indirectly participates in the WTO through the United Kingdom as a British Overseas Territory.

*Market Access/WTO Rules:* The British Virgin Islands treats foreign and local investors equally with respect to the establishment, acquisition, expansion, management, conduct, operation, and sale or other disposition of investments in its territory.

*Reverse Preferences:* The United States is not aware of preferential treatment afforded to the products of a developed country, other than the United States.

*Protection of Intellectual Property:* The law governing the protection of intellectual property in the British Virgin Islands is that of the United Kingdom, which is subject to the TRIPS Agreement.

*Intellectual Property/Broadcast Copyright Violations:* The United States is unaware of any cases where government-owned entities have broadcast copyrighted material belonging to U.S. copyright-holders without their express consent.

*Provision of Internationally Recognized Worker Rights:* The British Virgin Islands is a party to four of the 10 ILO core conventions - those on freedom of association, collective bargaining, and forced labor. 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.

The standard workweek is 40 hours, with overtime pay for excess hours. Overtime is limited to 12 hours per 24-hour period.

The Ministry of Natural Resources and Labour manages and administers labor matters in all sectors of the economy and regulates working conditions to protect the health, safety and welfare of workers.

Forced labor is criminally prohibited by law. The minimum age for employment is 16 years of age, and the minimum age for hazardous work is 18 years of age; both align with international standards. However, the British Virgin Islands has not identified the types of hazardous work that are prohibited for children.

*Commitments to Eliminate the Worst Forms of Child Labor:* According to DOL's 2022 *Findings on the Worst Forms of Child Labor*, there is no evidence that child labor exists, including its worst forms, in the British Virgin Islands. However, the law does not prohibit the involvement of children in illicit activities.

*Transparency in Government Procurement:* The British Virgin Islands is not a signatory of the WTO GPA. As a self-governing British Overseas Territory, all procurement implementation and legislation fall under the British Virgin Islands' own purview. The GPA does not apply to the British Virgin Islands, although the United Kingdom is party to the GPA.

*Arbitral Awards:* The United States is unaware of any cases where the British Virgin Islands failed to act in good faith in recognizing arbitral awards in favor of U.S. citizens in the last two years.

*Nationalization/Expropriation:* The United States is not aware of any outstanding expropriation claims or nationalization of foreign enterprises in the British Virgin Islands.

*Extradition:* An extradition treaty from 1977 between the U.S. and Great Britain covers the British Virgin Islands. However, in recent years, local courts have ruled against extraditing individuals to the United States.

*Implementation of the Inter-American Convention against Corruption (IACAC):* The British Virgin Islands is not a party to the IACAC.

*Counternarcotics Cooperation:* The British Virgin Islands has not been identified as a major drug transit or major illicit drug producing jurisdiction in the State Department's 2022 International Narcotics Control Strategy Report (INCSR). However, the report did identify the British Virgin Islands as a major money laundering jurisdiction in 2021. According to the INCSR, the British Virgin Islands has a favorable corporate tax and no wealth, capital gains, or estate taxes. Significant money laundering risks include exploitation of financial services and a share structure that does not require a statement of authorized capital. The United States can obtain legal assistance from the British Virgin Islands through the UK mutual legal assistance treaty and regularly does so. In 2021, the British Virgin Islands amended several laws, including the Drug Trafficking Offences (Amendment) Act, which empowers its Financial Investigation Agency to

explore whether certain drug trafficking offenses also involve money laundering, and the Proceeds of Criminal Conduct (Amendment) Act, which allows law enforcement to more broadly investigate money laundering and terrorist financing.

*Trade-Distorting Measures:* The law of the British Virgin Islands does not provide for export subsidies.

*Self-Help Measures:* In order to promote economic development and reduce its reliance on tourism and financial services, the British Virgin Islands government has implemented a number of initiatives, including: developing agriculture, renewable energy, and creative industries; investing in infrastructure; improving education and skills training; and strengthening financial regulation.

*Contribution to Regional Revitalization:* The British Virgin Islands encourages investments that will create jobs and increase exports.

*Cooperation on CBERA Administration:* The British Virgin Islands continues to cooperate with the United States in the administration of the CBERA.

## Curaçao

*Economic Review:* Curaçao has one of the highest standards of living in the Caribbean, and a relatively diversified economy. After a strong recovery in 2022, Curaçao is expected to see three percent GDP growth in 2023 and 2024, a rate muted by the lingering twin impacts of COVID-19 (on tourism and food prices) and the economic collapse

Indicator	2022 Data
Population*	149,996
GDP*	\$2,699,612,000 (2021)
GDP per capita*	\$17,717 (2021)
U.S. Exports**	\$465,335,239
U.S. Imports**	\$47,614,961
U.S. Trade Balance**	\$417,720,278
Source: The World Bank*; U.S. International Trade Commission DataWeb**	

of Venezuela, a major trading partner. The IMF believes that Curaçao’s economy is on a sound footing with a relatively strong fiscal position and a low debt-to-GDP ratio. The IMF urged the Government of Curaçao to exercise fiscal discipline as it weathers several macroeconomic challenges, including the restructuring of a USD \$137 million loan from the Dutch government in October 2023.

*Commitment to Undertake WTO Obligations:* Curaçao is not a Member of the WTO but has taken steps towards accession with the support of the Netherlands. WTO Members agreed to establish a working party for the accession of Curaçao in 2020, which has continued to meet WTO membership benchmarks, but has not released an estimated full accession timeframe. Curaçao is an autonomous country within the Kingdom of the Netherlands with an independent customs territory.

*Market Access/WTO Rules:* There are no targeted barriers to U.S. goods. All products from any country that comply with import regulations and health standards are allowed for import.

*Reverse Preferences:* The United States is not aware of preferential treatment afforded to the products of a developed country, other than the United States.

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

*Intellectual Property/Broadcast Copyright Violations:* The United States is not aware of government-owned entities broadcasting copyrighted material belonging to U.S. copyright holders without their consent. The Government of Curaçao Telecommunications Bureau monitors media to protect U.S. copyright-holders and to ensure royalties are paid if warranted.

Curaçao's regulator periodically performs a "line-up check" on all local providers, which includes requesting copies of contracts, or written permissions, and proof of payment of the payable rights for the use of the programs in their line-up. In case of questions or doubt, the local regulator proactively approaches the U.S. content providers for clarification.

*Provision of Internationally Recognized Worker Rights:* The Netherlands with respect to Curaçao is a party to four of the 10 core ILO conventions - those related to freedom of association, forced labor, and the worst forms of child labor. Workers are allowed to form or join independent unions of their own choosing without prior governmental authorization or excessive requirements. The Curaçao Constitution and the Ordinance on Collective Labor Agreements allow workers to organize, conduct legal strikes, and engage in collective bargaining. The law prohibits anti-union discrimination or retaliation against legal strikers.

Businesses may ask employees to work a maximum 10 hours per day and a maximum average of 45 hours per week, calculated over a period of four weeks. Working hours, including overtime, cannot exceed 60 hours per week. Overtime compensation is 175 percent of an employee's salary on a scheduled day off, 200 percent on a day of rest, and 250 percent on a holiday.

Occupational injuries and accidents must be reported to relevant authorities. Labor inspectors of the Ministry of Social Development, Labor, and Welfare enforce violations of the Labor Regulation Ordinance on Minimum Wages and the Ordinance on Vacation/Holidays.

Curaçao has criminalized labor trafficking and prescribed sufficiently stringent penalties. However, it was lowered to Tier 3 of the State Department's 2022 TIP Report and remains on Tier 3 in 2023 for its lack of convictions and insufficient efforts to prevent trafficking in persons.

The minimum legal age for employment in Curaçao is 15 years. National laws and regulations prohibit work performed by children. The rules differentiate between children, who are youth younger than 15 and adolescents, and those youth between ages 15 and 18. Children aged 12 or older who have finished elementary school may accept apprenticeships if it is not physically or mentally taxing and not dangerous.

*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, maintaining laws that prohibit the worst forms of child labor.

*Transparency in Government Procurement:* Curaçao is not a Member of the WTO and therefore not a signatory to the WTO GPA. Curaçao applies transparent, competitive bidding standards and guidelines that comply with those of the Kingdom of the Netherlands.

*Arbitral Awards:* The United States is not aware of any cases where Curaçao failed to act in good faith in recognizing arbitral awards in favor of U.S. citizens or U.S. corporations.

*Nationalization/Expropriation:* The United States is not aware of cases where the Government of Curaçao nationalized or expropriated the property of a U.S. citizen or corporation during the reporting period.

*Extradition:* The 1980 extradition treaty between the United States and the Kingdom of the Netherlands applies to Curaçao.

*Implementation of the Inter-American Convention against Corruption (IACAC):* The Kingdom of the Netherlands is not a party to the IACAC, which therefore does not apply to Curaçao. The Council of Europe Civil Law Convention on Corruption has applied to Curaçao since 2010.

*Counternarcotics Cooperation:* Curaçao has not been identified as a major drug transit or major illicit drug producing country under the provisions of the Foreign Relations Authorization Act. The obligations of the Netherlands as a party to the 1961 UN Single Convention on Narcotic Drugs, as amended, and the UN Convention against Transnational Organized Crime and its three Protocols apply to Curaçao.

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

*Trade-Distorting Measures:* Curaçao does not offer export subsidies, and the United States is not aware of any export performance requirements that are trade-distorting.

*Self-Help Measures:* The Government of Curaçao is undertaking efforts to improve the business climate and increase exports. That said, Curaçao has few financial tools and resources to put towards economic development due to a 2010 financial agreement between Curaçao, Sint Maarten, and the Netherlands. Curaçao has also implemented a reform package in exchange for a USD \$137 million COVID-19 loan from the Dutch government. The reform package includes several measures aimed at improving Curaçao's economy by reducing local government deficits and reforming the public sector.

*Contribution to Regional Revitalization:* Curaçao's open trade policies contributed to the CBI region by stimulating trade within and outside the region. Curaçao's deepwater seaport and airport facilities also serve as important regional distribution hubs.

*Cooperation on CBERA Administration:* Curaçao continues to cooperate with the United States in the administration of CBERA.

## Dominica

*Economic Review:* According to Eastern Caribbean Central Bank figures, Dominica’s economy had an estimated GDP of \$612.0 million (1,652.5 million Eastern Caribbean dollars) in 2022. Like most of the Eastern Caribbean, the country continues to grapple with the fall-out of the COVID-19 pandemic, supply-chain issues, and rising food and fuel prices associated with Russia’s February 24, 2022, full-scale invasion of Ukraine. As of May 2023, the IMF forecast that the economy will grow by 4.9% in 2023.

Indicator	2022 Data
Population*	72,737
GDP*	\$612,048,148
GDP per capita*	\$8,415
U.S. Exports**	\$139,663,618
U.S. Imports**	\$1,526,393
U.S. Trade Balance**	\$138,137,225
Source: The World Bank*; U.S. International Trade Commission DataWeb**	

The economy continues to recover from the devastation caused by Hurricane Maria in 2017. Losses from Hurricane Maria are estimated at \$1.37 billion or 226 percent of GDP. Reconstruction efforts were delayed by the COVID-19 pandemic; however, the government has recently restarted infrastructure projects in housing and tourism. The government is also placing emphasis on the modernization and expansion of the agricultural sector and enhanced food security efforts.

*Commitments to Undertake WTO Obligations:* Dominica generally demonstrates a commitment to fulfill its WTO obligations on schedule. Dominica ratified the WTO TFA in 2016 and has already implemented several TFA requirements.

*Market Access/WTO Rules:* Dominica treats foreign and local investors equally with respect to the establishment, acquisition, expansion, management, conduct, operation, and sale or other disposition of investments in its territory. Dominica’s membership and adherence to WTO agreements and protocols, along with an extensive legal regime governing international trade, is evidence of the country’s commitment to the United States to provide reasonable access for U.S. goods and services to its market.

*Reverse Preferences:* During the reporting period, Dominica did not afford preferential treatment to the products of a developed country, other than the United States.

*Protection of Intellectual Property:* The Attorney General is responsible for the administration of intellectual property laws. The registration of patents, trademarks, and service marks is administered by the Companies and Intellectual Property Office. Dominica is a signatory to the *Paris Convention for the Protection of Industrial Property*, the *Patent Cooperation Treaty*, and the *Berne Convention for the Protection of Literary and Artistic Works*. It is also a member of WIPO.

*Intellectual Property/Broadcast Copyright Violations:* The United States is not aware of government-owned entities broadcasting copyrighted material belonging to U.S. copyright-holders without their express consent.

*Provision of Internationally Recognized Worker Rights:* Dominica has ratified eight of the 10 ILO core conventions—those related to freedom of association, collective bargaining, forced labor, child labor, equal remuneration, and non-discrimination. The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibits antiunion discrimination.

The minimum wage law does not establish a universal minimum wage, but rather establishes base wages by category of workers. The standard workweek is 40 hours. The law provides overtime pay for work in excess of the standard workweek.

The Employment Safety Act provides occupational health and safety regulations that are consistent with international standards. Workers have the right to remove themselves from unsafe work environments without jeopardizing their employment.

Dominica's constitution prohibits most forms of forced or compulsory labor, but neither the criminal code nor the labor code prescribes penalties for perpetrators of forced labor.

The legal minimum age of employment is 16, although children aged 14 and older can work during school vacations or in school-sponsored employment training programs. The law does not define the conditions, specific activities, or number of hours permissible for light work. Although the government does not have a comprehensive list of hazardous work prohibited for children, the Ministry of National Security and Legal Affairs considers jobs such as mining and seafaring as hazardous.

*Commitments to Eliminate the Worst Forms of Child Labor:* Dominica's constitution prohibits some of the worst forms of child labor, and in general the government adequately enforces these prohibitions. The law also provides for some limitations on age, safety conditions, and working hours, with special attention to the school year. DOL's *Findings on the Worst Forms of Child Labor* reports that in 2022 research found no evidence that child labor exists in Dominica. Although the government funded and participated in programs that may contribute to preventing child labor, it has not determined specific types of hazardous work prohibited for children.

*Transparency in Government Procurement:* Dominica is not a signatory of the WTO GPA, but it maintains open and transparent government procurement policies. In 2022, a new Public Procurement and Disposal of Public Property Bill came into effect. This bill seeks to modernize public procurement underpinned by principles of integrity, accountability, transparency and fair competition. Dominica participates in the development of the Framework for Regional Integration of Public Procurement, which makes provisions for the use of Standard Bidding Documents and Standard Operating Procedures within the Caribbean Community. The United States is not aware of any non-competitive bidding procedures in government procurement during the reporting period.

*Nationalization/Expropriation:* The United States is not aware of any expropriation cases involving American citizens in Dominica during the reporting period.

*Implementation of the Inter-American Convention against Corruption (IACAC):* Dominica ratified the IACAC in June 2004. The Integrity in Public Office Act of 2003 and the Integrity in Public Office (Amendment) Act of 2015 provide criminal penalties for official corruption. Dominica is also party to the UN Convention against Corruption.

*Counternarcotics Cooperation:* Dominica is not identified as a major drug transit or major illicit drug producing country under the provisions of the Foreign Assistance Act of 1961. The United States supports a wide range of efforts designed to address crime and violence affecting citizens of Dominica, primarily through the CBSI. Dominica has ratified the Inter-American Convention on Mutual Assistance in Criminal Matters. The United States enjoys strong operational cooperation with Dominica on drug control matters and maintains bilateral agreements with Dominica to suppress illicit traffic by sea.

*Trade-Distorting Measures:* The United States is not aware of any export subsidies or trade-distorting practices during the reporting period.

*Self-Help Measures:* Dominica is focused on the diversification of its economy and enacts economic legislation with the goals of creating jobs, earning foreign exchange, transferring technology, enhancing skills, and contributing to economic growth.

*Contributions to regional revitalization:* Dominica strongly encourages policies that will create jobs and increase exports and foreign exchange earnings. Dominica's trade policies, particularly those within CARICOM, seek to contribute to the revitalization of the CBI region.

*Cooperation on CBERA Administration:* Dominica is committed to enhanced cooperation with the United States in the administration of CBERA.

## Grenada

*Economic Review:* Grenada’s economy continues to recover from the devastating 13.8 percent decline in GDP in 2020 due to the global COVID-19 pandemic and its impact on the country’s tourism-driven economy. The tourism sector improved significantly during the first nine months of 2022

Indicator	2022 Data
Population*	125,438
GDP*	\$1,256,413,190
GDP per capita*	\$10,016.20
U.S. Exports**	\$156,512,234
U.S. Imports**	\$16,651,263
U.S. Trade Balance**	\$139,860,971

Source: The World Bank\*; U.S. International Trade Commission DataWeb\*\*

compared to 2021, however, the economy still lags behind 2019 figures. Between January and September 2022, there were increases in tourist arrivals from Grenada’s largest markets – the United States and Canada by 55 percent and 20 percent, respectively, compared to pre-pandemic levels. Stayover arrivals increased by 306.6 percent at the end of September 2022 compared to 2021. Since 2020, Grenada has contended with macroeconomic instability from a loss in government revenue and jobs, fewer flights, increased inflation, and supply chain disruptions because of Russia’s February 24, 2022, full-scale invasion of Ukraine, which also threatens food security.

In 2021, real output expanded by 4.7 percent driven by recoveries in the tourism, construction, agriculture, and fishing sectors. GDP growth continued through 2022 at an estimated six percent, predominantly driven by economic activity in the tourism, construction, wholesale, and retail trade sectors. Inflation continues to climb in part due to fuel and food prices on the international market, but the country’s financial sector is stable with reports of increased deposits and loans. Public finances increased throughout 2022 with an expanded primary surplus and a decline in public debt. With average medium-term growth rates forecasted at 4.9 and 4.4 percent for CARICOM and the ECCU, Grenada’s medium-term growth is projected to be on par with regional peers.

*Commitment to Undertake WTO Obligations:* Generally, Grenada has demonstrated a commitment to undertake its obligations under the WTO on schedule.

*Market Access/WTO Rules:* Grenada’s membership and adherence to the WTO Agreement, along with an extensive legal regime governing international trade, is evidence of the country’s commitment to the United States to provide equitable and reasonable access for U.S. goods and services to its market.

*Reverse Preferences:* During the reporting period, Grenada did not afford preferential treatment to the products of a developed country, other than the United States. Grenada is a member of CARIFORUM, and party to the CARIFORUM–EU EPA. CARIFORUM countries have committed to progressively reduce their tariffs to zero for 87 percent of EU products by 2033. In March 2019, the CARIFORUM-United Kingdom EPA was signed and it includes a similar tariff reduction schedule.

*Protection of Intellectual Property:* Administration of intellectual property laws in Grenada is the responsibility of the Ministry of Legal Affairs. The Corporate Affairs and Intellectual Property Office is currently responsible for the registration of trademarks, re-registration of UK patents, and all other IP matters. The Patents Act (Cap. 227 of the Consolidated Laws of Grenada), the Trademarks Act (Cap. 284 of the Consolidated Laws of Grenada), and the Copyright Act Cap. 32 of 1988 (Cap. 67 of the Consolidated Laws of Grenada) protect the IP of investors and investment enterprises, including patents, trademarks, brand names, and copyrighted materials in printed, recorded, or electronic formats.

Grenada is a member of WIPO and signatory to the Paris Convention, the Berne Convention, and the Patent Cooperation Treaty. Domestic legislation regarding intellectual property protection has not been fully amended to bring it in line with the TRIPS Agreement. Updates to existing legislation are currently being drafted and reviewed.

*Intellectual Property/Broadcast Copyright Violations:* The United States is not aware of government-owned entities broadcasting copyrighted material belonging to U.S. copyright-holders without their express consent.

*Provision of Internationally Recognized Worker Rights:* Grenada has ratified nine of 10 core ILO conventions—those related to freedom of association, collective bargaining, forced labor, child labor, equal remuneration, occupational safety, and non-discrimination. The law provides for the right of workers to form and join independent labor unions, participate in collective bargaining, and, with some restrictions, conduct legal strikes.

The law provides for the protection and regulation of wages, including minimum wages, which are set by occupation. Employers are prohibited from requiring employees (except security guards or domestic workers) to work for more than eight hours each day, exclusive of lunch, without paying adequate compensation for overtime work.

Occupational safety and health regulation is provided for in the Accidents and Occupational Diseases (Notification) Act.

Grenadian law prohibits all forms of forced or compulsory labor, including the sale or trafficking of children for exploitative labor.

Grenada's legislation does not meet international standards because it does not specify the minimum age, types of work, or number of hours permitted for holiday employment of children under age 16. Further, Grenada has not established a minimum age for hazardous work by law nor identified hazardous occupations and activities prohibited for children.

*Commitments to Eliminate the Worst Forms of Child Labor:* Grenada's laws require the use of force, threats, abuse of power, or other forms of coercion, and therefore do not comprehensively prohibit child trafficking. DOL's *Findings on the Worst Forms of Child Labor* reported that in 2022, although Grenada made no advancement in efforts to prevent the worst forms of child labor, there was no evidence that child labor exists in the country.

*Transparency in Government Procurement:* Grenada is not a signatory of the WTO GPA, but maintains open and transparent government procurement policies. The Central Procurement Unit within the Ministry of Finance is charged with the responsibility to investigate any allegations in violation of the Public Procurement and Disposal Act. The Central Procurement Unit may at any time conduct investigations or random sampling to ensure legal conformity. In cases when the procurement of certain items exceeds a predetermined threshold, this is presented to the Central Procurement Board for execution. Persons who feel they were treated unfairly can lodge a complaint with the Central Procurement Unit, the External Audit Department, or Review Commission, which are independent entities charged with investigating claims of corruption related to procurement. While there have been some accusations of non-transparency with procurement of contracts, no evidence has been found to support such claims.

*Arbitral Awards:* Grenada is a signatory and contracting member of International Center for the Settlement of Investment Disputes (ICSID), and has engaged this platform to resolve disputes. Grenada has had three cases before ICSID – one they have won, and while they lost the second case, Grenada acted in good faith, recognized the arbitral award, and paid the U.S. corporation. The third case is still pending.

*Nationalization/Expropriation:* A U.S. investor filed a request for arbitration with ICSID on July 9, 2021, against the Government of Grenada for interfering with the completion of its resort project that was approved through Grenada’s citizenship by investment program in 2017. The matter is currently pending arbitration at ICSID. With a change in government in 2022, attempts are being made to negotiate a settlement.

*Extradition:* Grenada signed an extradition treaty with the United States in May 1996. Article 1 obligates each contracting state to extradite to others, pursuant to the provisions of the Treaty, any person sought for prosecution and any person convicted of an extraditable offense by the authorities in the requesting state.

*Implementation of the Inter-American Convention against Corruption (IACAC):* Grenada ratified the IACAC in January 2002. In 2013, Parliament passed the Integrity in Public Life Act (Act No.24 of 2013), the country’s first anticorruption bill, which requires that all public servants report their income and assets to the independent Integrity Commission for review. The Integrity in Public Life Act also established the Integrity in Public Life Commission, which monitors and verifies disclosures, although disclosures are not made public except through court proceedings. Enforcement of these laws and procedures are generally effective and applied in a non-discriminatory manner. The Office of the Ombudsman received 31 complaints in 2021, compared to 29 in 2020 and 59 in 2019. Of the 31 complaints, two were closed, nine are ongoing, 10 received advice/referrals, one was discontinued and nine were beyond the jurisdiction of the ombudsman. Bribery is illegal in Grenada. The enforcement of anti-bribery laws and procedures is largely effective and non-discriminatory.

*Counternarcotics Cooperation:* Grenada maintains several laws addressing drug abuse and prevention. One of Grenada’s principal statutes is the Drug Abuse (Prevention and Control) Act No. 7 of 1992. The act covers controlled and restricted drugs, controlled drugs in transit, drug trafficking, and related offences. The National Council on Drug Control (NCODC), also known

as The Drug Control Secretariat was established by the Drug Abuse Act in 1989. It is the central government institution to assess, monitor, and implement all national drug control programs. The NCODC developed its 2019-2023 anti-drug strategy to address the country's main challenges as it relates to drug control. This includes the emergence of new drugs, including new psychoactive substances, legalization/decriminalization of cannabis and related products, linkages between drug trafficking and firearms, money laundering, and financial crimes and treatment services specifically targeted to women and adolescents. Grenada's Drug Squad attests that 80 percent of its laws and regulations meet the U.S. counter-narcotics certification criteria under the Foreign Assistance Act of 1961. The Drug Squad is proactive and has executed an increase in seizures and prosecutions over the past two years, reducing the prevalence of drug-related activity in the country. For the first half of 2023, the Royal Grenada Police Force recorded 128 drug related offences, and 150 offences in 2022. A high conviction rate also serves as an effective deterrent. The NCODC is charged with the continued development of drug mitigation and eradication programs, and significant efforts are being made to meet the U.S. counter-narcotics certification criteria and eradicate drug abuse in Grenada with the NCODC's combined efforts with Legal Affairs, the Fraud Investigation Unit, Law Enforcement, and Air and Maritime Cooperation Demand Reduction.

*Trade-Distorting Measures:* The Government of Grenada does not offer export subsidies or impose trade-distorting export performance requirements.

*Self-Help Measures:* In addition to the enactment of several pieces of legislation to create a trade and investor-friendly environment, the country is also undertaking measures to promote its own economic development. The new government has mandated free education up to the tertiary level to ensure a high literacy rate and the continued growth and development of Grenada. The government has also made efforts to attract more investment through a new investment promotion act and through Grenada's Citizenship by Investment Program.

*Contribution to Regional Revitalization:* Grenada's trade policies contribute to the revitalization of CBI and benefit the wider region through the CARICOM Agreement, the legislation within the Customs Act, and the revised Treaty of Chaguaramas, which established the CARICOM single market and economy.

*Cooperation in Administration of the CBERA:* Grenada continues to cooperate with the United States in the administration of the CBERA.

## Guyana

*Economic Review:* Guyana's GDP grew by 62.3 percent in 2022, making it one of the fastest growing economies in the world. Its GDP is expected to grow by 38 percent in 2023, and with a population of roughly 800,000, its per capita wealth is expected to dramatically increase. A growing number of young professionals choose to emigrate, and the

Indicator	2022 Data
Population*	808,726
GDP*	\$15,357,537,000
GDP per capita*	\$18,989.80
U.S. Exports**	\$1,080,291,821
U.S. Imports**	\$2,842,129,006
U.S. Trade Balance**	\$-1,761,837,185

Source: The World Bank\*; U.S. International Trade Commission DataWeb\*\*

cost-of-living has increased substantially since 2015.

Since becoming an oil producing nation in 2019, a consortium of two U.S. companies and one People's Republic of China SOE company is developing Guyana's estimated 11 billion barrels of offshore oil and gas deposits. Industry experts expect Guyana's total recoverable oil deposits to increase as exploration activities expand to other offshore blocks. The Government of Guyana also launched an auction for new blocks that expired at the end of September 2023. Additionally, Guyana's third floating production and storage offloading vessel was commissioned in late 2023, allowing Guyana's production to rise to 600,000 barrels of oil per day by mid-2024. Guyana's sovereign wealth fund, the Natural Resource Fund (NRF) is expected to hold \$2 billion by end of 2023, and the government has been keen to use NRF revenues to promote its development goals, particularly through infrastructure spending. The government's 2023 priorities include energy developments, education, health care, and agriculture. To diversify the economy, the Government of Guyana is offering incentives for investment in the agriculture, business support services, health, information technology, manufacturing, and energy sectors, especially in regions outside of Georgetown. However, attempts to diversify the economy away from oil and gas have had mixed results. In 2022 the country's non-oil growth was 9.6 percent, but oil and gas accounted for more than 60 percent of total GDP.

Notwithstanding this impressive growth, Guyana remains a challenging place to do business. Many businesses report increasing crime, high electricity costs, unclear interpretation of the law or lengthy delays at customs, contentious tax issues, and lack of infrastructure. However, the Government of Guyana has taken steps to address some of these challenges, including through the Gas to Energy project to reduce the cost of electricity and a pilot single window for government permits.

*Commitment to Undertake WTO Obligations:* Guyana generally demonstrates a commitment to fulfill its WTO obligations on schedule.

*Market Access/WTO Rules:* There are no targeted barriers to U.S. goods. Guyana has a local content legislation that requires firms in 40 areas in the upstream oil and gas sector to provide 51 percent ownership to a Guyanese partner.

*Protection of Intellectual Property:* Guyana's Copyright Act dates to 1956, and its Trademark Act and Patents and Design Act dates to 1992. Guyana is a member of WIPO and has acceded to

the Berne and Paris Conventions. However, the United States is concerned about intellectual property violations in the country. Patent and trademark infringement are common, as are music, video, book, and software piracy.

*Intellectual Property/Broadcast Copyright Violations:* U.S. media companies have raised concerns that local television stations, including the state-owned and operated National Communication Network (NCN), rebroadcasts TV satellite signals and unlicensed content online with impunity. Pirated and counterfeit goods are widely available across the country.

*Provision of Internationally Recognized Worker Rights:* Guyana has ratified nine of the ILO's 10 core conventions—those related to freedom of association, collective bargaining, forced labor, child labor, equal remuneration, occupational safety, and non-discrimination. The law provides for the right of association and allows workers to form and join trade unions, bargain collectively, and conduct legal strikes. The ILO has criticized the law setting a high threshold of workers (40%) needed to form unions as potentially deterring freedom of association and collective bargaining. The law provides for a national minimum wage for private-sector employees.

A normal workweek is 40 hours, distributed over no more than five days per week. The law prohibits compulsory overtime, and overtime work must be paid according to rates set in the law or according to any collective bargaining agreement in force where workers are unionized.

Forced and compulsory labor is constitutionally prohibited, and Guyanese law prohibits trafficking in persons for purposes of forced labor. Guyana remained on Tier 1 in the State Department's 2023 TIP Report for fully meeting the minimum standards for the elimination of trafficking and demonstrating continued serious and sustained efforts to eliminate trafficking.

The law prohibits employment of children under the age of 15, with some exceptions for employment in family businesses outside school hours. It also sets the minimum age of 18 for employment that is likely to harm the health, safety, or morals of young persons.

*Commitments to Eliminate the Worst Forms of Child Labor:* DOL's 2022 *Findings on the Worst Forms of Child Labor* reports that Guyana made minimal advancements in efforts to eliminate the worst forms of child labor. However, children in Guyana are subjected to the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining. Guyana does not meet the international standard for hazardous work for children because it allows children ages 16 to 17 to conduct night work in industrial activities. The government's National Policy on Child Labor aims to eradicate child labor by 2025, and the government contributed USD \$300,000 to non-governmental organization-run shelters for human trafficking survivors.

*Transparency in Government Procurement:* Guyana is not party to the WTO Agreement on Government Procurement. In spite of legislative advancements, widespread concerns persist, with allegations of rampant cronyism and nepotism. The Auditor General noted in its 2021 report to parliament that 72 percent of audit recommendations were made but noted continued overpayments of contracts and non-delivery of items as key areas for improvement. Guyana's Procurement Act of 2003 provides for the establishment of a National Procurement and

Tender Administration Board (NPTAB), appointed by the Minister of Finance. Guyana established a Public Procurement Commission in 2016 to monitor public procurement procedures undertaken by Ministries, public agencies and bodies in order to ensure that the procurement of goods, services, and execution of works are conducted in an equitable, transparent, competitive and cost-effective manner. While the procurement process is transparent, there are reports that some procurements were awarded outside of the standard process.

Due to the discovery of oil in 2015, Guyana moved towards more transparency in the extractive industries. In 2017, Guyana joined the Extractive Industry Transparency Initiative (EITI) Secretariat, the global standard for the good governance of oil, gas, and mineral resources. Since its EITI membership began, Guyana has taken steps to fully comply with the standards for transparency and good governance. With assistance from the U.S. Agency for International Development (USAID), Guyana's EITI National Secretariat and its EITI Multi-Stakeholder Group have raised awareness on the importance of making information about the sector readily available and the opportunities and benefits of EITI membership. USAID also provided capacity building for an EITI validation (verification of compliance with EITI standards & requirements) and has worked with civil society, including the media to improve the availability of information on the sector, improve the public's understanding of how the sector works, and how citizens can monitor government and private industry compliance with transparency measures. In August 2021, a new Guyana EITI website was launched to serve as a central repository for information on Guyana's extractive sector, and features government links and publicizes extractive sector information (Guyana EITI reports, licenses, contracts, publications, statistics). In February 2023, Guyana was temporarily suspended from EITI for missing reporting deadlines but is now reinstated.

*Arbitral Awards:* The United States is not aware of any cases where Guyana failed to act in good faith in recognizing arbitral awards in favor of U.S. Citizens during the reporting period.

*Nationalization/Expropriation:* The United States is not aware of nationalization or expropriation of property of U.S. citizens during the reporting period.

*Extradition:* Guyana is covered under an extradition treaty from 1931 between the United States and the United Kingdom. Since 2019, the U.S. and Guyanese governments have developed a cooperative relationship regarding extraditions and have worked together to facilitate extraditions/returns of two fugitives between the United States and Guyana to face justice.

*Implementation of the Inter-American Convention against Corruption (IACAC):* 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. On June 16, 2011, Guyana designated the Ministry of Foreign Affairs as its Central Authority, in accordance with the provisions of article XVIII of the IACAC. The main institutions tasked with mandates relevant to preventing and combating corruption include the Guyana Police Force Serious Organized Crime Unit, the Office of the Director of Public Prosecutions, the Financial Intelligence Unit and the State Assets Recovery Agency, the latter of which was disbanded by

the current government over concerns of its constitutionality. The Attorney General is currently looking to build a new state asset recovery agency along CARICOM model legislation guidelines.

The Government of Guyana also created the Public Procurement Commission to monitor government purchases and ensure that such goods purchases are consistent with the law. In addition, in 2016, Guyana implemented the Protected Disclosures Bill protecting whistleblowers and the Witness Protection Bill.

*Counternarcotics Cooperation:* The Department of State's 2021 International Narcotics Control Strategy Report identified Guyana as a transit point for cocaine destined for the United States, the Caribbean, Europe, and Africa. Guyana's location makes it a "safe haven" for drug traffickers due to its extensive rainforest and under-monitored hinterland regions. Cocaine is often concealed in legitimate commodities and smuggled through commercial and private air transport, maritime vessels, air transport, human couriers, or various postal methods.

The Government of Guyana cooperates closely with the United States and has shown strong interest in furthering collaboration under the CBSI. Guyana has legislation in place that could enable a more effective response to drug trafficking, and has a drug enforcement presence at its international airports and post offices, but it is limited by resource constraints.

In 2008, Guyana acceded to and has since filed information requests under the Inter-American Convention on Mutual Assistance in Criminal Matters, to which the United States is also a party. Guyana has bilateral drug control agreements with its neighbors and with the United Kingdom. Guyana is also a member of the Organization of American States' Inter-American Drug Abuse Control Commission.

*Trade-Distorting Measures:* The United States is not aware of any export subsidies or trade-distorting practices during the reporting period.

*Self-Help Measures:* While the government is trying to improve the economy, Guyana needs substantial infrastructure investments to compete on a global level.

*Contribution to Regional Revitalization:* Guyana is an active participant in CARICOM, which has its headquarters in Georgetown, and supports its vision of creating a single market economy in order to boost regional integration.

*Cooperation in Administration of the CBERA:* Guyana is interested in creating value added industries and diversifying exports beyond its extractive base and there is significant interest in expanding outreach to Guyanese firms in order to take better advantage of CBERA.

## Haiti

*Economic Review:* Haiti lags significantly behind its neighbors by all economic indicators. GDP has contracted every year since 2019, and inflation has drastically increased costs to consumers. Between 2021-2023 security challenges caused by the proliferation of gangs hinder the movement of goods and is one of the

Indicator	2022 Data
Population*	11,584,996
GDP*	\$20,253,551,890
GDP per capita*	\$1,748.30
U.S. Exports**	\$1,362,534,976
U.S. Imports**	\$1,046,944,314
U.S. Trade Balance**	\$315,590,662

Source: The World Bank\*; U.S. International Trade Commission DataWeb\*\*

main drivers of inflation. Inflation reached a high point of 48.2 percent in March 2023. In addition, monetary financing of the budget decreased considerably during October 2022-April 2023 (year-on-year) to one-half percent of GDP, from two percent over the same period of the previous year. The exchange rate has stabilized since January 2023.

The Haitian people struggle to maintain living standards amid deteriorating and insufficient infrastructure, high unemployment, budget deficits, recurring fuel shortages, insufficient foreign reserves, a volatile currency, acute inequality, persistent corruption, and dwindling direct foreign investment. The country has been hit hard by economic spillovers from Russia's February 24, 2022, full-scale invasion of Ukraine, including food price inflation that has triggered a hunger crisis. This global shock has been compounded by a highly volatile security situation in Haiti, which has heightened the economy's fragility. It is probable that ongoing insecurity will continue to inhibit economic growth, hitting the poorest parts of society the hardest.

Textile and apparel exports account for over 90 percent of Haitian exports of goods to the United States, entering duty free under the CBTPA, HOPE and HOPE II programs. Overall, United States textile and apparel imports from Haiti remained relatively steady throughout 2022, with nearly \$1 billion in imports from the sector. These apparel items enter the United States duty free under CBTPA and the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006 (HOPE). CBTPA represents about one-third of these duty-free items. The preferences under HOPE, the Haiti Economic Lift Program (HELP), and CBTPA are the cornerstone of Haiti's textile sector, which accounts for 80 percent of Haiti's exports and employed over 43,000 Haitians at the end of calendar year 2020. Natural disasters, strikes, fuel shortages, and prolonged insecurity have disrupted manufacturers' operation and resulted in job cuts affecting just over 38,000 employees at the end of calendar year 2023. The legislation also ensures the fair treatment of workers through a monitoring program, Better Work Haiti, funded by the U.S. Department of Labor.

*Commitment to Undertake WTO Obligations:* Haiti aims to meet its obligations under the WTO as a general policy. However, in light of Haiti's capacity constraints, implementation of those obligations is imperfect in practice.

Haiti has not ratified the WTO TFA. According to Haiti's Office for the Coordination for Agreements with CARICOM, the WTO, and Free Trade Area of the Americas (BACOZ), Haiti

is unable to ratify the agreement until a parliament has been elected. Without a functioning parliament, the Haitian government is not fully operational, and is not able to pursue reforms or operate efficiently. Haiti's failure to hold legislative elections in 2019 caused the parliament to lapse in January 2020. The assassination of the Haitian President in 2021 further delayed elections.

*Market Access/WTO Rules:* The Government of Haiti consistently assures the United States that it will continue to provide equitable and reasonable access for U.S. goods and services to its market.

*Reverse Preferences:* The United States is not aware of Haiti affording preferential treatment to the products of a developed country other than the United States.

*Protection of Intellectual Property:* Haiti's most significant laws governing intellectual property protection date from the early-to mid-20th century. Weak judicial institutions contribute to poor enforcement of existing laws and the erosion of protections offered by current laws. In practice, limited manufacturing capacity, lack of disposable income, and paucity of tourism result in a limited amount of commercial piracy.

*Intellectual Property/Broadcast Copyright Violations:* The United States is not aware of any government-owned entities broadcasting copyrighted material belonging to U.S. copyright-holders without their consent.

*Provision of Internationally Recognized Worker Rights:* Haiti has ratified eight of the 10 ILO core labor conventions—those related to freedom of association, collective bargaining, forced labor, child labor, equal remuneration, and non-discrimination. The law provides for the right of some workers, excluding public-sector employees, to form and join unions of their choice and to strike, with restrictions. The law allows for collective bargaining, stating that employers must conclude a collective contract with a union if that union represents at least two-thirds of the workers and requests a contract. Strikes are legal if, among other requirements, they are approved by at least one-third of a company's workers. The law prohibits firing workers for union activities.

The law provides for a national minimum wage. Minimum wages are set by the government based on official macroeconomic indicators on at least an annual basis. Following several weeks of strikes and protests by garment workers in January and February 2022 relating to demands for an increased minimum wage, the government issued a 37 percent wage increase for the clothing manufacturing export sector. The increase in minimum wage impacted employees across other economic sectors, on a sliding scale. The "3×8" law organizes and regulates work during a 24-hour period divided into three eight-hour shifts. This law sets the standard workday at eight hours and the workweek at 48 hours for industrial, commercial, agricultural, and tourist establishments, and for public and private utilities.

Haitian law establishes minimum occupational safety and health regulations; however, standards are not always enforced.

Haitian law prohibits all forms of forced or compulsory labor. Haiti has remained on the Tier 2 Watch List of the State Department's 2023 TIP Report for the third consecutive year for failing to demonstrate increased efforts to eliminate trafficking, including conducting fewer investigations, making fewer arrests, and identifying fewer victims. Haiti was granted a waiver in order to remain on the Tier 2 Watchlist, and otherwise would have been downgraded to Tier 3.

The minimum age for work in most of the economy generally is 16. The minimum age for employment in industrial, agricultural, or commercial companies is 16. Children ages 12 and older may work up to three hours per day outside of school hours in family enterprises, under supervision from the Ministry of Social Affairs and Labor. The law allows children 14 and older to be apprentices, but children ages 14 to 16 may not work more than 25 hours a week as apprentices.

To be eligible for preferential treatment, HOPE II requires Haiti to establish the TAICNAR program to monitor and assess labor law compliance for each producer eligible for benefits under HOPE II. The President is required to submit an annual report to Congress on the implementation of the TAICNAR program, including the efforts by Haiti, the President, and the ILO to carry it out. The 2023 HOPE II report highlighted the efforts of the Government of Haiti to productively engage with the ILO and with the U.S. Government to make progress on labor issues despite significant challenges. Within the apparel sector, the ILO reported that in the first few months of 2023, 9,000 jobs were lost due to factory closures and reduced international orders. Haiti's Labor Ombudsperson and her staff were active in the sector, working closely with ILO and the Haitian Ministry of Labor and Social Affairs to address disputes and offer mediation services to one-third of Haiti's apparel factories as of January 2023. These cases covered a range of issues, including wage disputes, failure to pay healthcare and pension benefits, and allegations of unlawful dismissals or suspensions of trade unionists. Despite the challenging operational environment, the ILO continued to work closely with the Ministry of Labor and Social Affairs and the Ombudsperson to assess factory compliance with the labor criteria. The ILO also provided advisory services for remediating instances of non-compliance, covering a wide range of topics aimed at improving working conditions, including improving occupational safety and health management systems; preventing COVID-19; and ensuring proper procedures were followed in cases of employee dismissals due to reductions in production.

*Commitments to Eliminate the Worst Forms of Child Labor:* Children in Haiti are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. In the restavèk system, children domestic workers are placed in unsafe conditions where they are physically abused, sexually exploited, and uncompensated for their services. Children also perform dangerous tasks in agriculture and domestic work. Minimum age protections for work apply only to children with a formal employment contract, which does not comply with international standards that require all children to be protected. In addition, Haiti lacks a clear minimum age for domestic work and a list of hazardous occupations prohibited to children. Furthermore, social programs to address child labor are insufficient to adequately address the extent of the problem, particularly in domestic work, agriculture, and child trafficking.

*Transparency in Government Procurement:* Haiti is not a signatory to the WTO GPA. However, during this reporting period the government has made progress under the IMF Staff-Monitored program. In December 2022, the government issued a decree in requiring the use of the Taxpayer Identification Number (TIN) for all finance departments with sanctions for fraudulent or non-use. Since the beginning of 2023, authorities have published public procurement contracts, including the publication of tenders, contracts, and the beneficial owners of successful bidders.

*Arbitral Awards:* The United States is not aware of instances where the Haitian government has failed to act in good faith in recognizing arbitral awards in favor of U.S. citizens during the reporting period.

*Nationalization/Expropriation:* The United States is not aware of reports of nationalization or expropriation of property of U.S. citizens.

*Extradition:* The United States and Haiti signed an extradition treaty that entered into force in 1905. The Government of Haiti has willingly surrendered Haitians and other nationals under indictment in the United States to U.S. law enforcement agencies.

*Implementation of the Inter-American Convention against Corruption (IACAC):* Haiti ratified the IACAC in 2004. However, significant corruption is prevalent throughout Haiti and remains an ongoing impediment to economic growth.

*Counternarcotics Cooperation:* In 2022, the United States government identified Haiti as a major drug transit or major illicit drug producing country under the provision of the Foreign Relations Authorization Act. However, Haiti is not 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 counter-narcotics and citizen security.

The U.S. State Department’s Bureau of International Narcotics and Law Enforcement (INL) supports the deployment of Haitian National Police (HNP) counter-narcotics unit (BLTS) officers to strategic points throughout the country, and provided technical assistance and equipment to further develop BLTS’s capability to effectively conduct and track operations and investigations. Through INL efforts, the BLTS has grown from 42 to a force of nearly 230 officers as of August 2021, as well as a 10-dog canine component capable of drug, explosive, and currency detection. INL supports BLTS canine units in Cap Haitian and Port au Prince; provides maintenance for two INL purchased Boston Whaler boats; and funds training and assistance for joint counter-narcotics operations conducted by the Haitian Coast Guard and BLTS. The BLTS and Haitian Coast Guard have carried out several successful operations yielding drug and cash asset seizures in cooperation with the U.S. Department of Justice Drug Enforcement Administration but has not impounded significant amounts. The Haitian government continues to be unable to secure its borders adequately to cut the flow of illegal drugs. The Department of Homeland Security’s Office of Homeland Security Investigations (HSI), in cooperation with INL, also works with and trains BLTS – as well as the Criminal Affairs Office (BAC), the Haitian Customs Administration

(AGD), and a new border security unit (POLIFRONT) – to prevent illegal smuggling flows, including of weapons.

*Trade-Distorting Measures:* The United States is not aware of any use of export subsidies or trade-distorting export performance during the reporting period.

*Self-Help Measures:* Despite a challenging economic environment the Haitian government has implemented reforms which should improve Haiti’s macroeconomic outlook. Net international reserves reached \$481 million in May 2023, up from \$114 million in October 2022. This increase reflects recent foreign exchange (FX) purchases to rebuild external buffers, as well as valuation effects in the central bank’s FX portfolio. Custom duties helped boost fiscal revenue by 50 percent in the first six months of the fiscal year of 2023 starting in October 2022.

*Contribution to Regional Revitalization:* Haiti’s trade policies contribute to the revitalization of the CBI region as a whole.

*Cooperation in Administration of the CBERA:* Haiti is cooperating with the United States in the administration of CBERA. For example, the Director General of Haitian Customs is working cooperatively with the U.S. Embassy in Port au Prince and U.S. Customs and Border Protection to resolve electronic visa transmission issues by converting the outdated Electronic Visa Information System (ELVIS) to the current Electronic Certification System (eCERT).

## Jamaica

*Economic Review:* The Jamaican economy expanded by an estimated 5.2 percent in 2022, clawing back the output losses associated with the COVID-19 pandemic a full year ahead of projections. While growth was underpinned by a strong recovery in tourism, there was general buoyancy across the economy, with

unemployment falling to 6.6 percent. The economic growth boosted tax revenues, creating a healthy primary budget surplus and a reduction in the debt to GDP ratio to below pre-pandemic levels. This expanded fiscal space allowed the government to boost spending on social and physical infrastructure and public sector compensation. Inflation fell below double digits after peaking near 12 percent in April 2022, but remained outside the central bank's target range of four to six percent. Jamaica's financial system remains capitalized, and liquid and the external account is resilient, supported by a relatively low current account deficit and record net international reserves of over \$4 billion.

Indicator	2022 Data
Population*	2,827,377
GDP*	\$17,097,760,750
GDP per capita*	\$6,047.20
U.S. Exports**	\$2,465,942,212
U.S. Imports**	\$348,052,684
U.S. Trade Balance**	\$2,117,889,528

Source: The World Bank\*; U.S. International Trade Commission DataWeb\*\*

The Jamaican economy remains highly dependent on services, which account for over 70 percent of GDP and an even greater share of export earnings. Services growth continues to be driven by external demand, especially for tourism. Tourism earnings staged a major recovery in 2022 and returned to the pre-pandemic record of \$3.6 billion generated in 2019. Merchandise exports increased by 28.4 percent in 2022 to \$1.9 billion, well ahead of the \$1.6 billion registered in 2019. Exports continue to be driven by traditional goods (including bauxite, sugar, rum, citrus, coffee, and cocoa), although there are signs of a resurgence in the manufacturing sector, which could eventually lead to an uptick in non-traditional exports. The country has also started to exploit its huge deposits of food and pharmaceutical grade limestone. The United States remains Jamaica's largest trading partner accounting for over 40 percent of total trade and enjoying a trade surplus of \$2.3 billion.

*Commitment to Undertake WTO Obligations:* Jamaica has generally demonstrated its commitment to fulfill its WTO obligations on schedule. Jamaica ratified the TFA on January 19, 2016.

*Market Access/WTO Rules:* Jamaica maintains import restrictions on poultry from certain U.S. states and counties due to previous U.S. detections of highly pathogenic avian influenza (HPAI). These restrictions have remained in place despite World Organization for Animal Health acknowledgement of the United States as HPAI-free after the effective eradication of the virus in 2016 and 2017. In an effort to protect its domestic pork industry, Jamaica also maintains unscientific barriers to U.S. pork while granting market access to like products from other countries. A July 2013 risk assessment by Jamaica's Veterinary Services Division (VSD) determined U.S. pork poses only a negligible risk to Jamaica's swine herd and is safe for human

consumption. In spite of this, no official market access for fresh or frozen pork has been granted to the United States by Jamaica. The United States is currently waiting for the completion of a new risk assessment by Jamaica's VSD. Resolution of this long-standing issue is being closely monitored.

*Reverse Preferences:* During the reporting period, Jamaica did not afford preferential treatment to the products of a developed country, other than the United States. Jamaica is a member of CARIFORUM, and party to the CARIFORUM–EU EPA. CARIFORUM countries have committed to progressively reduce their tariffs to zero for 87 percent of EU products by 2033. In March 2019, the CARIFORUM-United Kingdom EPA was signed and it includes a similar tariff reduction schedule.

*Protection of Intellectual Property:* Jamaica has one of the most recently updated intellectual property (IP) protection regimes in Latin America and the Caribbean, although legislative and enforcement gaps still exist. In addition to being a member of WIPO and a signatory of the Berne Convention, Jamaica and the U.S. have an Intellectual Property Rights Agreement. In 2020, Jamaica adopted the Patent and Designs Act, which replaces the outdated Patent Act of 1857 and Designs Act of 1937, in an effort to modernize its patent and industrial designs regime and to implement its international obligations.

Jamaica amended its Copyright Act 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 amendment also implemented obligations for the WIPO Internet Treaties, the Marrakesh Treaty for the Visually Impaired, and the Beijing Treaty on Audiovisual Performances. The new legislation extends protection from 50 to 95 years from the death of the author on works ranging from books and music to computer programs. Amendments in June 1999 explicitly provide copyright protection on compilations of works such as databases and make it an offense for a person to manufacture or trade in decoders of encrypted transmissions. The amendments also give persons in encrypted transmissions or in broadcasting or cable program services a right of action against persons who infringe upon their rights. The Broadcasting Commission of Jamaica ran public messaging campaigns to educate the public about theft of foreign television content and an audit of cable providers found a general improvement in compliance, especially among larger cable providers.

The Trademark Act of 1999 provides owners of registered trademarks exclusive rights for up to 10 years, renewable. The Layout Designs Act (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. The Geographical Indications Act (GI) of 2004 is now fully in force, protecting products whose quality or reputation is attributable to its geographical origin. General law provides protection for trade secrets, and protection against unfair competition is provided under the Fair Competition Act. Law enforcement efforts to combat counterfeit and pirated goods are improving, but border enforcement remains a challenge.

*Intellectual Property/Broadcast Copyright Violations:* The United States is not aware of any cases where government-owned entities have broadcast copyrighted material belonging to U.S. copyright-holders without their express consent.

*Provision of Internationally Recognized Worker Rights:* Jamaica has ratified eight of the ILO's 10 core labor conventions—those related to freedom of association, collective bargaining, forced labor, child labor, equal remuneration, and non-discrimination.

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 rights of association, as well as the right to organize and bargain collectively, although the law does not provide the right to strike. Before workers categorized as essential services may legally strike, they must attempt dispute settlement through negotiation. The ILO has raised concerns that the country's definition of essential services is too broad. There have been reports of difficulties unionizing among workers in Jamaica's export-processing zones.

There is a standard 40-hour work week, with at least one day of rest per week mandated, paid annual holidays, and overtime compensation for work beyond 40 hours.

The Occupational Safety and Health Department maintained and enforced safety and health standards under ILO guidelines appropriate for Jamaica's main industries. The law has no provisions that explicitly allow workers to remove themselves from unsafe conditions without jeopardy to employment.

The law prohibits all forms of forced or compulsory labor. Jamaica remained on Tier 2 in the Department of State's Trafficking in Persons report for ongoing efforts to meet the minimum standards for the elimination of trafficking.

Jamaican law defines a minimum working age of 15, although the law permits children between ages 13 and 15 to engage in "light work." The Ministry of Labour and Social Security has yet to define light work activities, except for the general guidance that such activities should not disrupt a child's education or be harmful to their health.

*Commitments to Eliminate the Worst Forms of Child Labor:* Jamaica prohibits forced labor, child trafficking, and commercial sexual exploitation of children. It does not, however, specifically prohibit the use of children in illicit activities, such as the use, procurement, and offering of children for drug trafficking and production. Children in Jamaica are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and use in illicit activities. Children also perform dangerous tasks in agriculture and street work. DOL's 2022 *Findings on the Worst Forms of Child Labor* reports that Jamaica made a moderate advancement in efforts to eliminate the worst forms of child labor due to increased labor inspections and the development of a policy to reduce child labor through 2027.

*Transparency in Government Procurement:* Jamaica is not a signatory to the WTO GPA, but has comprehensive public procurement procedures, which are overseen by the new Integrity Commission and were most recently updated in 2018. The amendments, among other things, enhance the potential for micro-, small-, and medium-sized enterprises to compete for larger shares of Government procurement contracts. Public procurement is generally conducted through open tenders or direct advertising, or by invitation to registered suppliers. U.S. firms are eligible

to bid. In January 2021, Jamaica officially launched the Open Government Partnership process, the first English-speaking Caribbean country to participate in the initiative.

*Arbitral Awards:* Jamaica has been a signatory to the ICSID Convention since 1965. ICSID awards are enforceable by the Jamaican courts. Jamaican courts enforce property and contractual rights through four statutes, under which the judgments of foreign courts are accepted and enforced in all cases in which there is a reciprocal enforcement of judgment treaty with the relevant foreign nation. There have been cases of trademark infringements in which U.S. firms took legal action and were granted restitution in the local courts.

*Nationalization/Expropriation:* Property rights are protected under Section 18 of the Jamaican Constitution. The Land Acquisition Act allows for expropriation of land but requires that compensation be paid based on market value. Although the Act allows for expropriating land prior to payment, landowners are entitled to accrue interest on the balance owed for the period between government expropriation and final payment. In the last four decades, there have been no reported cases whereby Jamaica nationalized or expropriated the property of U.S. citizens.

*Extradition:* The United States and Jamaica are bilateral parties to both a mutual legal assistance treaty and an extradition treaty regarding U.S. citizens, Jamaicans, and third-country nationals.

*Implementation of the Inter-American Convention against Corruption (IACAC):* Jamaica ratified the IACAC in March 2001 and became a party to the UN Convention Against Corruption in March 2008. To beef up anti-corruption efforts, a new Integrity Commission Act came into effect in February 2018. The act creates a single national anti-corruption agency by combining the Corruption Prevention Commission with the Office of the Contractor General and the Integrity Commission (IC), to investigate reports of corruption in public procurements, oversee the statutory financial declarations of both civil servants and parliamentarians, and importantly, prosecute corruption cases. The IC has become more forward leaning recently and is currently investigating several parliamentarians, which caused some ruling-party officials to accuse it of partisanship, especially following the publication of a controversial report on the Prime Minister in February. As prescribed in the Act, it has randomly selected eight of the most senior public servants for additional interrogation on their financial declarations.

*Counternarcotics Cooperation:* Jamaica was identified as a Major Drug Transit or Major Illicit Drug Producing Country for fiscal year 2023, but it has not failed demonstrably during the previous 12 months to adhere to its obligations under international counter-narcotics agreements and section 489(a)(1) of the Foreign Assistance Act of 1961. Jamaica continues to be a major transit point for cocaine, particularly given recent increases in Colombian cocaine production, and Jamaica remains the largest Caribbean producer and exporter of marijuana. U.S. counter-narcotics projects in Jamaica are designed to increase the capacity of its law enforcement agencies in order to reduce the trafficking of illicit narcotics through Jamaica. The United States and Jamaica are bilateral parties to both a mutual legal assistance treaty and an extradition treaty.

*Trade-Distorting Measures:* Jamaica does not use export subsidies or trade-distorting export performance requirements.

*Contribution to Regional Revitalization:* Jamaica is a major proponent of regional economic integration and was among the first to reduce duties on goods from CARICOM countries. The country was party to the recent decision on the free movement for all CARICOM nationals by March 2024. Jamaica remains the largest recipient of CARICOM goods, with total trade of \$760 million and a trade deficit of \$458 million in 2022. Trade with the regional bloc declined from a peak of \$1.4 billion in 2008 to a low of \$330 million in 2020. The reduction was largely due the diversion of trade from Trinidad and Tobago, especially in the energy sector. Jamaica has also gained some competitiveness in manufacturing allowing it to increase exports to CARICOM. Jamaican exporters continue to complain about access to some CARICOM markets and have been encouraged to utilize the trade component of the Caribbean Court of Justice (CCJ) to address trade barriers faced in many regional markets.

*Cooperation in Administration of the CBERA:* Jamaica cooperates with the United States on the administration of the CBERA. The Trade Board, a government agency, is responsible for certifying authority for goods exported under Jamaica's trade agreements and is therefore responsible for administering the CBERA program. Trade Board officials have been educating exporters and potential exporters about existing trade preferences and attribute the recent rise in exports to these efforts. The government's export strategy is a part of its economic development plan and includes a national drive to increase exports and by extension utilization of trade preferences especially with the United States and CARICOM.

## Montserrat

*Economic Review:* Montserrat is a British Overseas Territory with a population of approximately 4,500 people. The island faces similar challenges as other Small Island Developing States (SIDS), including its vulnerability to the climate crisis and extreme weather events, a narrow economy, import dependency and lack of human and financial resources needed to invest in economic diversification. Access and transport challenges result in high import and export costs for goods and irregular international traffic volumes.

Indicator	2022 Data
Population*	4,390
GDP*	\$71,552,836 (2021)
GDP per capita*	\$16,199 (2021)
U.S. Exports**	\$9,180,004
U.S. Imports**	\$1,528,776
Trade Balance**	\$7,651,228
Source: UN Statistics Division*; U.S. International Trade Commission DataWeb**	

Montserrat's economy remains fragile and dependent on external support, particularly from the United Kingdom. The island's economic activity is primarily concentrated in the construction industry, which is driven by UK-funded infrastructure projects. Unregulated sand mining also contributes to the economy, albeit in a less sustainable manner. The agricultural and fishing sectors are underdeveloped, resulting in a high import ratio and a reliance on imports for food security. Tourism, once a major contributor to the economy, has been severely impacted by the COVID-19 pandemic and the eruption of the Soufrière Hills volcano in 1995.

Private sector investment in Montserrat is very limited, and the economy is heavily reliant on government spending and foreign aid. The UK provides significant financial assistance to Montserrat.

*Commitment to Undertake WTO Obligations:* Montserrat is not a WTO Member, but indirectly participates in the WTO through the United Kingdom as a British Overseas Territory.

*Market Access/WTO Rules:* Montserrat treats foreign and local investors equally with respect to the establishment, acquisition, expansion, management, conduct, operation, and sale or other disposition of investments in its territory.

*Reverse Preferences:* The United States is not aware of preferential treatment afforded to the products of a developed country, other than the United Kingdom and the United States.

*Protection of Intellectual Property:* In Montserrat, the law governing the protection of intellectual property is that of the United Kingdom, which is subject to the TRIPS Agreement.

*Intellectual Property/Broadcast Copyright Violations:* The United States is unaware of cases where government-owned entities have broadcasted copyrighted material belonging to U.S. copyright-holders without their express consent.

*Provision of Internationally Recognized Worker Rights:* Montserrat is a party to four of the 10 core ILO conventions – those related to freedom of association, collective bargaining, and forced labor. The Labour Code enacted in 2012 governs labor relations. The law provides for the right of association and allows workers to form and join trade unions, bargain collectively, and conduct legal strikes. The Labor Department provides conciliation services. The Montserrat Allied Workers Union provides representation for workers outside the public sector.

There is no legislated workweek, but workers generally work a 40-hour workweek. Montserrat has legislated Occupational Safety and Hazard laws, but its labor inspectorate is limited in its enforcement abilities. The Constitution of Montserrat prohibits slavery and forced labor.

The minimum age for employment is 16, and the minimum age for hazardous work is 18; both in alignment with international standards. However, the government has not determined by national law or regulation the types of hazardous work prohibited for children.

*Commitments to Eliminate the Worst Forms of Child Labor:* DOL's 2022 *Findings on the Worst Forms of Child Labor* reports that research found no evidence that child labor exists in Montserrat. Labor inspectors have no authority to conduct unannounced inspections or to assess penalties for child labor violations. Additionally, there are no laws prohibiting the use of children in illicit activities or determining the types of hazardous work prohibited for children.

*Transparency in Government Procurement:* Montserrat is not a signatory of the WTO GPA. As a self-governing British Overseas Territory, all procurement implementation and legislation fall under Montserrat's own purview. The GPA does not apply to Montserrat, although the United Kingdom is party to the GPA.

*Arbitral Awards:* The United States is unaware of cases where Montserrat failed to act in good faith in recognizing arbitral awards in favor of U.S. Citizens in the last two years.

*Nationalization/Expropriation:* The United States is not aware of outstanding expropriation claims or nationalization of foreign enterprises in Montserrat.

*Extradition:* An extradition treaty from 1977 between the United States and the United Kingdom applies to Montserrat.

*Implementation of the Inter-American Convention against Corruption (IACAC):* Montserrat is not a party to the IACAC.

*Counternarcotics Cooperation:* Montserrat was not identified as a jurisdiction of concern in the State Department's 2022 International Narcotics Control Strategy Report. Additionally, Montserrat has not been identified as a major drug transit or major illicit drug producing country under the provision of the Foreign Relations Authorization Act.

*Trade-Distorting Measures:* The law of Montserrat does not provide for export subsidies.

*Self-Help Measures:* With millions of dollars in support from the United Kingdom, Montserrat has implemented a number of measures to promote economic development. Programs include: diversifying the economy; improving infrastructure; investing in education and skills training; and promoting entrepreneurship. This includes capital investment projects to rebuild infrastructure and budget transfers to the Government of Montserrat to help the island bridge the gap between the domestic revenues collected and the costs of delivering essential public services.

*Contribution to Regional Revitalization:* Montserrat encourages investments that will create jobs and increase exports.

*Cooperation in Administration of the CBERA:* Montserrat continues to cooperate with the United States in the administration of the CBERA.

## Saint Kitts and Nevis

*Economic Review:* Saint Kitts and Nevis is a member of the OECS and the ECCU. According to ECCU figures, the economy of Saint Kitts and Nevis had an estimated GDP of \$979.2 million (2.64 billion Eastern Caribbean dollars) in 2022, showing signs of post-pandemic economic recovery. Like most of the Eastern

Indicator	2022 Data
Population*	47,657
GDP*	\$961,563,259
GDP per capita*	\$20,176.70
U.S. Exports**	\$150,883,809
U.S. Imports**	\$31,072,226
U.S. Trade Balance**	\$ 119,811,583

Source: The World Bank\*; U.S. International Trade Commission DataWeb\*\*

Caribbean, the country continues to grapple with recovery from COVID-19, supply-chain issues, and rising food and fuel prices associated with Russia's February 24, 2022, full-scale invasion of Ukraine. As of May 2023, the IMF forecast that the economy will grow by 4.5% in 2023.

The government seeks to facilitate a conducive business climate to attract more foreign investment. Saint Kitts and Nevis remains vulnerable to external shocks such as climate crisis impacts, natural disasters, and global economic downturns.

*Commitment to Undertake WTO Obligations:* Saint Kitts and Nevis generally demonstrates a commitment to fulfill its WTO obligations on schedule. Saint Kitts and Nevis ratified the WTO Trade Facilitation Agreement in 2016 and has implemented a number of its requirements.

*Market Access/WTO Rules:* The Government of Saint Kitts and Nevis treats foreign and local investors equally with respect to the establishment, acquisition, expansion, management, conduct, operation, and sale or other disposition of investments in its territory.

*Reverse Preferences:* During the reporting period, Saint Kitts and Nevis did not afford preferential treatment to the products of a developed country, other than the United States. Saint Kitts and Nevis is a member of CARIFORUM, and party to the CARIFORUM–EU EPA and the CARIFORUM-United Kingdom EPA.

*Protection of Intellectual Property:* Saint Kitts and Nevis has been party to the WTO TRIPS Agreement since 2015. Saint Kitts and Nevis has a legislative framework that supports IP protections. The Ministry of Justice and Legal Affairs is responsible for the administration of intellectual property laws. The registration of patents, trademarks, and service marks is administered by the Companies and Intellectual Property Office. Saint Kitts and Nevis is a signatory to the *Paris Convention for the Protection of Industrial Property* (1883), the *Patent Cooperation Treaty* (1970), and the *Berne Convention for the Protection of Literary and Artistic Works* (1886). Saint Kitts and Nevis is also a member of WIPO.

*Intellectual Property/Broadcast Copyright Violations:* The United States is not aware of any cases where government-owned entities have broadcast copyrighted material belonging to U.S. copyright-holders without their express consent.

*Provision of Internationally Recognized Worker Rights:* Saint Kitts and Nevis has ratified eight of 10 ILO core labor conventions—those related to freedom of association, collective bargaining, forced labor, child labor, equal remuneration, and non-discrimination. The law provides for the right to form and join independent unions or staff associations. It also permits police, civil servants, hotels, construction workers, and small businesses to organize staff associations. Employers generally recognize unions if a majority of workers vote to organize, although they are not legally obliged to do so.

The minimum wage is above the estimated poverty level. The law provides for a 40- to 44-hour work week; the common practice is 40 hours in five days. Saint Kitts and Nevis does not prohibit excessive or compulsory overtime, but policy calls for employers to inform employees if they will be scheduled to work overtime.

The law sets occupational safety and health standards, which are appropriate for the country's main industries. Workers can remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities adequately protect employees in this situation. Saint Kitts and Nevis also requires that employers report accidents and dangerous incidents to the government. The Labor Commission settles disputes over occupational safety and health conditions.

The constitution prohibits slavery, servitude, and forced labor.

The minimum age for employment is appropriately set at 16 years, but the minimum age for hazardous work does not align with international standards.

*Commitments to Eliminate the Worst Forms of Child Labor:* During the reporting period, there was no evidence to suggest that the worst forms of child labor is a problem in Saint Kitts and Nevis. DOL has not included a country profile for Saint Kitts and Nevis in recent *Findings on the Worst Forms of Child Labor*.

*Transparency in Government Procurement:* Saint Kitts and Nevis is not a signatory of the WTO GPA. However, the procurement policies of Saint Kitts and Nevis are generally open and transparent, and the United States is not aware of any noncompetitive bidding procedures. Saint Kitts and Nevis enacted the Procurement and Contract Administration Act in 2012 which requires government contracts to adhere to a transparent bidding process. Saint Kitts and Nevis participates in the development of CARICOM's Framework for Regional Integration of Public Procurement, which upon implementation will make provisions for the use of Standard Bidding Documents and Standard Operating Procedures within the Caribbean Community.

*Arbitral Awards:* The United States is not aware of any cases where Saint Kitts and Nevis has failed to act in good faith in recognizing arbitral awards in favor of U.S. Citizens during the reporting period.

*Nationalization/Expropriation:* There are two separate and outstanding cases involving the seizure of U.S.-owned property by the Government of Saint Kitts and Nevis. In the first case, the

Government of Saint Kitts and Nevis defaulted on its agreement to pay a U.S. claimant after completing the first two installments on an acquisition of a large parcel of land. Although a court ordered the government to pay two subsequent installments, the government has yet to do so. The Government of Saint Kitts and Nevis alleges that another individual has made a claim on part of the property and that it must wait until a court determines the outcome of the other claim before completing payments to the U.S. owner. The court case deciding on the competing claim has not yet been scheduled. In 2020, a court ruled that the balance of payment due was to be deposited by the government into a court-controlled account to facilitate payment upon resolution of the other property claim. During the reporting period, the government did not deposit the balance into a court-controlled account. However, as of the claimant's death in May 2021, no further payments have been made to his estate, according to the claimant's son, who is still pursuing the case. During the reporting period, the Saint Kitts and Nevis Government confirmed that the final payment remained outstanding due to ongoing litigation with another claimant, a Kittitian citizen. A motion to strike out the appeal was heard by the supreme court in April 2023. The court has yet to give its final ruling.

In the second case, which occurred in January 2015, a U.S. company signed an agreement with Saint Kitts and Nevis to provide two million gallons of water. The government expropriated one of the company's wells in November 2018 without compensation. In February 2019, the Government of Saint Kitts and Nevis agreed to pay a \$1 million settlement to the company and to deposit an additional \$500,000 into an escrow account. The company subsequently agreed to a settlement of \$750,000 plus the escrow deposit. According to the Office of the Attorney General, while an additional agreement was reached between the parties in December 2020 regarding the delivery of water and the payment of all fees, the contract was subsequently renegotiated.

The United States continues to monitor these cases.

*Extradition:* The United States and Saint Kitts and Nevis have signed a treaty regarding the extradition of citizens, including those from the United States. Both countries also signed a mutual legal assistance treaty.

*Implementation of the Inter-American Convention against Corruption (IACAC):* Saint Kitts and Nevis is a party to the IACAC. The law provides criminal penalties for official corruption, and the government generally implements these laws effectively. Government agencies involved in enforcement of anti-corruption laws include the Royal Saint Kitts and Nevis Police Force, the Director of Public Prosecutions, and the Financial Intelligence Unit. The Financial Intelligence Unit investigates financial crimes, but no independent body has been established to handle allegations of government corruption.

*Counternarcotics Cooperation:* Saint Kitts and Nevis is not identified as a major drug transit or major illicit drug producing country under the provisions of the Foreign Assistance Act of 1961. The United States supports a wide range of efforts designed to address crime and violence affecting citizens of Saint Kitts and Nevis, primarily through the CBSI. The United States enjoys strong operational cooperation with Saint Kitts and Nevis on drug control matters and maintains bilateral agreements with Saint Kitts and Nevis to suppress illicit traffic by sea.

*Trade-Distorting Measures:* The law of Saint Kitts and Nevis does not provide for export subsidies.

*Self-Help Measures:* Saint Kitts and Nevis enacts economic legislation with the goals of creating jobs, earning foreign exchange, transferring technology, enhancing skills, and contributing to economic growth. The government continues to focus on the diversification of the economy to promote development.

*Contribution to Regional Revitalization:* Saint Kitts and Nevis encourages investments that will create jobs and increase exports and foreign exchange earnings. Saint Kitts and Nevis's trade policies, particularly those within CARICOM, seek to contribute to the revitalization of the CBI region.

*Cooperation in Administration of the CBERA:* Saint Kitts and Nevis is committed to enhanced cooperation with the United States in the administration of the CBERA.

## Saint Lucia

*Economic Review:* Saint Lucia’s economy is dependent on tourism and foreign investment, which accounts for most of its GDP, making it vulnerable to external shocks. Like most of the Eastern Caribbean, the country continues to grapple with supply-chain delays and surging consumer food and fuel prices exacerbated by Russia’s February 24, 2022, full-scale invasion of Ukraine. Saint Lucia is a member of the OECS and ECCU. In addition to tourism, Saint Lucia’s other main economic sectors include real estate and call centers.

Indicator	2022 Data
Population*	179,857
GDP*	\$2,065,027,560
GDP per capita*	\$11,481.50
U.S. Exports**	\$865,749,238
U.S. Imports**	\$10,936,308
U.S. Trade Balance**	\$854,812,930

Source: The World Bank\*; U.S. International Trade Commission DataWeb\*\*

Saint Lucia’s economy has been steadily recovering since the height of the COVID-19 pandemic. It had an estimated GDP of \$2.07 billion in 2022 according to the latest figures obtained from the World Bank. As of May 2023, the IMF forecast the Saint Lucian economy to grow by 3.0% by the end of 2023.

*Commitment to Undertake WTO Obligations:* Saint Lucia generally demonstrates a commitment to fulfill its WTO obligations on schedule. Saint Lucia is working to improve customs efficiency, modernize customs operations, and address inefficiencies in the clearance of goods. Saint Lucia ratified the WTO TFA in 2015 and has already implemented several TFA requirements.

*Market Access/WTO Rules:* Saint Lucia meets WTO requirements for equitable and reasonable access for U.S. goods and services to its market.

*Reverse Preferences:* During the reporting period, Saint Lucia did not afford preferential treatment to the products of a developed country, other than the United States. Saint Lucia is a member of CARIFORUM, and party to the CARIFORUM–EU EPA. CARIFORUM countries have committed to progressively reduce their tariffs to zero for 87 percent of EU products by 2033. In March 2019, the CARIFORUM-United Kingdom EPA was signed and it includes a similar tariff reduction schedule.

*Protection of Intellectual Property:* Saint Lucia ratified the WTO TRIPS Agreement in 2016. It has a strong legislative framework in place for the protection of IP, but enforcement efforts are inconsistent. The Attorney General is responsible for administering intellectual property laws. The Registry of Companies and Intellectual Property Office administers the registration of patents, trademarks, and service marks. Saint Lucia is a member of WIPO and a signatory to a number of international intellectual property rights treaties, including the *Washington Treaty on Intellectual Property in Respect of Integrated Circuits*, the *WIPO Performances and Phonograms Treaty*, the *WCT*, the *Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks*, and the *Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms*. Saint Lucia is also a

signatory to the *Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks*, the *Patent Cooperation Treaty*, the *Rome Convention for the Protection of Performers, and Producers of Phonograms and Broadcasting Organization*. In addition, Saint Lucia has signed the *Paris Convention for the Protection of Industrial Property* and the *Berne Convention for the Protection of Literary and Artistic Works*.

*Intellectual Property/Broadcast Copyright Violations:* The United States is not aware of any government-owned entities broadcasting copyrighted materials belonging to U.S. copyright-holders without their express consent. Saint Lucia maintains a statutory licensing regime that includes a requirement to pay royalties to rights holders. Rights holders, however, assert that they do not receive royalty payments due to a pattern of unlicensed broadcasting of copyrighted music.

*Provision of Internationally Recognized Worker Rights:* Saint Lucia has ratified eight of the 10 core ILO labor conventions—those related to freedom of association, collective bargaining, forced labor, child labor, equal remuneration, occupational safety, and non-discrimination. The law specifies the right of most workers to form and join independent unions, bargain collectively, and conduct legal strikes. The law also prohibits antiunion discrimination, and workers fired for union activity have the right to reinstatement.

The legislated workweek is 40 hours, and workers who work more than 40 hours in a week are entitled to overtime.

Occupational health and safety regulations are well developed. However, enforcement of occupational and safety standards, pension standards, and minimum wage violations is limited.

The law prohibits forced labor, and labor trafficking is criminalized. Saint Lucia remained on Tier 2 of the State Department's 2023 TIP Report for increasing efforts to eliminate trafficking.

Saint Lucia's minimum age for employment is 15, and the minimum age for hazardous work is 18; both in adherence with international standards. However, the government has not determined by national law or regulation the types of hazardous work prohibited for children.

*Commitments to Eliminate the Worst Forms of Child Labor:* DOL's 2022 *Findings on the Worst Forms of Child Labor* reports that Saint Lucia made moderate advancement in its efforts to eliminate the worst forms of child labor. Although research is limited, there is evidence that children in Saint Lucia are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The government renewed its Trafficking in Persons National Action Plan through 2026 and launched a new Border Control Management System that will assist authorities in identifying trafficking in persons cases. Additionally, members of the Human Trafficking Task Force and the Royal Saint Lucia Police Force partnered with U.S. Homeland Security Investigations for training on trafficking in persons.

*Transparency in Government Procurement:* Saint Lucia is not a signatory of the WTO GPA, but its policies are generally open and transparent. It enacted the Public Procurement and Assets Disposal Bill in 2015 and has participated in the development of CARICOM's Framework for

Regional Integration of Public Procurement, which requires the use of standard bidding documents and standard operating procedures within the Caribbean Community.

*Arbitral Awards:* Saint Lucia is party to the Convention on the Settlement of Investment Disputes between States and Nationals of Other States, but not a member of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, also known as the New York Arbitration Convention. The Arbitration Act (2001) provides general and specific provisions on arbitration rules and procedures in Saint Lucia. The United States is not aware of any instance in which Saint Lucia failed to act in good faith in recognizing arbitral awards in favor of U.S. citizens since the last report was published two years ago.

*Nationalization/Expropriation:* Under the Land Acquisition Act, the government can acquire land for a public purpose. A notice of acquisition must be served on the person from whom the land is acquired. Saint Lucia employs a system of eminent domain to pay compensation in such cases. There is one case of expropriation involving an American citizen-owned property. In 1985, the government expropriated 32 acres of land owned by an American citizen since 1970 by an act of law. To date, the claimant has been unsuccessful in his attempts to seek redress. In 2014, the government denied the claimant's request without explanation and has since been largely unresponsive to repeated attempts by the claimant to appeal the decision. The U.S. Embassy in Bridgetown continues to advocate with the government to ensure the claimant is allowed to fully exercise his due process rights.

*Extradition:* The United States and Saint Lucia have signed a bilateral treaty regarding extradition. Both countries are also signatories to a mutual legal assistance treaty.

*Implementation of the Inter-American Convention against Corruption (IACAC):* Saint Lucia ratified the IACAC in January of 2003. Saint Lucia has laws, regulations, and penalties to combat corruption, notably the Integrity in Public Life Act of 2004. Government agencies involved in enforcement of anti-corruption laws include the Royal Saint Lucia Police Force, the Director of Public Prosecutions, the Integrity Commission, and the Financial Intelligence Unit. While the law provides criminal penalties for official corruption, enforcement is not always effective. Local laws require government officials to present their financial assets annually to the Integrity Commission. While authorities do not make public the disclosure reports filed by individuals, the commission submits a report to parliament each year. The commission lacks the ability to compel compliance with the law, and as a result, compliance is typically low.

*Counternarcotics Cooperation:* Saint Lucia is not identified as a major drug transit or major illicit drug producing country under the provisions of the Foreign Assistance Act of 1961. The United States supports a wide range of efforts designed to address crime and violence affecting citizens of Saint Lucia, primarily through the CBSI. The United States enjoys strong operational cooperation with Saint Lucia on drug control matters and maintains bilateral agreements with Saint Lucia to suppress illicit traffic by sea.

*Trade-Distorting Measures:* The 2006 Revised Customs Duty Act of Saint Lucia governs the imposition of customs duties on exportation, and relief from customs duties on importation. The extent of the country's export subsidies is provided for within the Customs Act.

*Self-Help Measures:* Saint Lucia enacts economic legislation with the goals of creating jobs, earning foreign exchange, transferring technology, enhancing skills, and contributing to economic growth. The government continues to focus on the diversification of the economy to transform development.

*Contribution to Regional Revitalization:* The Government of Saint Lucia strongly encourages policies that will create jobs and increase exports and foreign exchange earnings. Saint Lucia's trade policies, particularly those within CARICOM, seek to contribute to the revitalization of the CBI region.

*Cooperation in Administration of the CBERA:* Saint Lucia continues to cooperate with the United States in the administration of the CBERA.

## Saint Vincent and the Grenadines

*Economic Review:* Saint Vincent and the Grenadines is a member of the OECS and the ECCU. In the most recent available figures from the Eastern Caribbean Central Bank, the country's 2022 estimated gross domestic product (GDP) was projected at \$871.4 million (2,355 billion Eastern Caribbean dollars).

Indicator	2022 Data
Population*	103,948
GDP*	\$948,558,503
GDP per capita*	\$9,125.30
U.S. Exports**	\$139,490,678
U.S. Imports**	\$8,636,708
U.S. Trade Balance**	\$130,853,970

Source: The World Bank\*; U.S. International Trade Commission DataWeb\*\*

Like other Eastern Caribbean countries, Saint Vincent and the Grenadines is highly dependent on tourism, which accounted for 28.6 percent of GDP and 19.9 percent of formal sector employment in 2019. The economy was hard hit by the COVID-19 pandemic and the eruptions of La Soufriere volcano in 2021, which particularly affected agricultural districts. The country also continues to recover from damage sustained during the passage of Hurricane Elsa in 2021. The IMF forecasts the Vincentian economy to grow by 5.0 percent by the end of 2024.

*Commitment to Undertake WTO Obligations:* Saint Vincent and the Grenadines has generally demonstrated a commitment to fulfill its WTO obligations on schedule. Saint Vincent and the Grenadines ratified the WTO TFA in 2017 and has already implemented several TFA requirements.

*Market Access/WTO Rules:* Saint Vincent and the Grenadines treats foreign and local investors equally with respect to the establishment, acquisition, expansion, management, operation, and sale of investments in its territory.

*Reverse Preferences:* During the reporting period, Saint Vincent and the Grenadines did not afford preferential treatment to the products of a developed country, other than the United States. Saint Vincent and the Grenadines is a member of CARIFORUM, and party to the CARIFORUM–EU EPA. CARIFORUM countries have committed to progressively reduce their tariffs to zero for 87 percent of EU products by 2033. In March 2019, the CARIFORUM-United Kingdom EPA was signed and it includes a similar tariff reduction schedule.

*Protection of Intellectual Property:* Saint Vincent and the Grenadines formally accepted the WTO TRIPS Agreement in 2017. Saint Vincent and the Grenadines has a legislative framework for the protection of IP. The administration of intellectual property laws is the responsibility of the Office of the Attorney General. The Commerce and Intellectual Property Office administers the registration of patents and trademarks. Saint Vincent and the Grenadines is a signatory to the Paris Convention and the Berne Convention. It is also a member of WIPO and a signatory to its treaties.

*Intellectual Property/Broadcast Copyright Violations:* The United States is not aware of government-owned entities broadcasting copyrighted materials belonging to U.S. copyright-holders without their express consent.

*Provision of Internationally Recognized Worker Rights:* Saint Vincent and the Grenadines has ratified eight of the 10 ILO core labor conventions—those relating to freedom of association, collective bargaining, forced labor, child labor, equal remuneration, and non-discrimination. The law provides for the right of workers to form and join unions of their choice, bargain collectively, and conduct legal strikes. The law does not require employers to recognize a particular union as an exclusive bargaining agent. The law prohibits antiunion discrimination and dismissal for engaging in union activities.

The law prescribes hours of work for different categories of workers, and the law provides that workers receive time-and-a-half pay for hours worked above the standard workweek. There was a prohibition against excessive or compulsory overtime.

Workers have the right to remove themselves from unsafe work environments without jeopardizing their employment. The Government of Saint Vincent and the Grenadines did not adequately enforce occupational safety and health laws, and although inspectors conducted unannounced inspections, they were not authorized to levy sanctions.

The law prohibits all forms of forced or compulsory labor, and labor trafficking is criminalized. Saint Vincent and the Grenadines remained on Tier 2 of the State Department’s 2023 Trafficking in Persons Report for demonstrating increasing efforts to eliminate trafficking.

Saint Vincent and the Grenadines’ minimum age for work is appropriately set at 14, although the minimum age for hazardous work does not align with international standards. Additionally, the government has not determined by national law or regulation the types of hazardous work prohibited for children.

*Commitments to Eliminate the Worst Forms of Child Labor:* DOL’s 2022 *Findings on the Worst Forms of Child Labor* reports that limited information suggests that children in Saint Vincent and the Grenadines engage in child labor in agriculture. The government recently passed amendments to the Prevention of Trafficking in Persons Act to strengthen penalties for offenders.

*Transparency in Government Procurement:* Saint Vincent and the Grenadines is not a signatory of the WTO GPA, but its government procurement policies are generally open and transparent, and the United States is not aware of any non-competitive bidding procedures. The Government of Saint Vincent and the Grenadines enacted the Public Procurement Act in 2018 and has participated in the development of the Framework for Regional Integration of Public Procurement, which requires the use of standard bidding documents and standard operating procedures within CARICOM.

*Arbitral Awards:* The United States is not aware of cases where Saint Vincent and the Grenadines failed to act in good faith in recognizing arbitral awards in favor of U.S. citizens during the reporting period. Saint Vincent and the Grenadines is a member of the Convention on the

Settlement of Investment Disputes between States and Nationals of Other States, and the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, also known as the New York Arbitration Convention. Through the Arbitration Act (1952), the local courts recognize and enforce foreign arbitral awards issued against the government. Investors are permitted to use national or international arbitration for contracts with the state.

*Nationalization/Expropriation:* The United States is not aware of any outstanding expropriation claims or nationalization of U.S. citizens' property during the reporting period. The Aliens' Land Holding Act regulates the holding of land and mortgages related to land by individuals who are non-nationals and companies controlled by non-nationals. Non-nationals must apply for and be granted a license to hold land. The breach of any condition of the license authorizes forfeiture to the government of the interest held by the non-national. Under the Land Acquisition Act, the government may acquire land for a public purpose. The government must serve a notice of acquisition to the person from whom the land is acquired. A Board of Assessment determines compensation and files its award in the High Court. The value of the land is based on the amount for which the land would have been sold on the open market by a willing seller.

*Extradition:* The United States and Saint Vincent and the Grenadines have signed a bilateral treaty regarding extradition. Both countries are also signatories to a mutual legal assistance treaty.

*Implementation of the Inter-American Convention against Corruption (IACAC):* Saint Vincent and the Grenadines is party to the IACAC. The law provides criminal penalties for official corruption, and the government generally implements these laws. The Director of Public Prosecutions has the authority to prosecute a number of corruption-related offenses. Corruption allegations are investigated by the Royal Saint Vincent and the Grenadines Police Force. There is no statutory standard obligation for public officers to disclose financial information to a specific authority. If there are confiscation proceedings initiated or contemplated against a corrupt official, the courts can order disclosure of financial information. The Financial Intelligence Unit has the authority to conduct financial investigations with a court order.

*Counternarcotics Cooperation:* Saint Vincent and the Grenadines is not identified as a major drug transit or major illicit drug producing country under the provisions of the Foreign Assistance Act of 1961. The United States supports a wide range of efforts designed to address crime and violence affecting citizens of Saint Vincent and the Grenadines, primarily through the CBSI. The United States enjoys strong operational cooperation with Saint Vincent and the Grenadines on drug control matters. The United States maintains bilateral agreements with Saint Vincent and the Grenadines to suppress illicit traffic by sea.

*Trade-Distorting Measures:* The United States is not aware of any use of export subsidies or trade-distorting export performance requirements during the reporting period.

*Self-Help Measures:* Saint Vincent and the Grenadines seeks to broaden the diversification of its economy among several niche markets, particularly tourism, international financial services, agro-processing, light manufacturing, renewable energy, creative industries, and information and communication technologies. The country strongly encourages FDI, particularly in industries that create jobs and earn foreign exchange. Through the Invest Saint Vincent and the Grenadines

Authority (Invest SVG), the government facilitates FDI and maintains an open dialogue with current and potential investors.

*Contribution to Regional Revitalization:* Saint Vincent and the Grenadines strongly encourages policies that will create jobs and increase exports and foreign exchange earnings. Saint Vincent and the Grenadines' trade policies, particularly those within CARICOM, seek to contribute to the revitalization of the CBI region.

*Cooperation in Administration of the CBERA:* Saint Vincent and the Grenadines continues to cooperate with the United States in the administration of the CBERA.

## Trinidad and Tobago

*Economic Review:* Trinidad and Tobago is one of the most prosperous countries in the Caribbean due to petroleum energy exploration and production. Energy usually accounts for almost half of the GDP and 80 percent of export earnings.

Indicator	2022 Data
Population*	1,531,044
GDP*	\$27,899,082,000
GDP per capita*	\$18,222.30
U.S. Exports**	\$3,431,347,947
U.S. Imports**	\$5,386,434,834
U.S. Trade Balance**	\$-1,955,086,887

Source: The World Bank\*; U.S. International Trade Commission DataWeb\*\*

Emerging from the COVID-19 emergency and higher global prices for Trinidad and Tobago's natural-gas based exports in 2022 helped stabilize the economy and produced four percent GDP growth. The IMF projects GDP growth of 3.5 percent in 2023. The government has revised revenue projections downward due to declining natural gas production and lower global energy prices, and expected expenditure upwards, meaning a likely 2023 budget deficit after 2022's slight budget surplus.

*Commitment to Undertake WTO Obligations:* At Trinidad and Tobago's last WTO Trade Policy Review in 2019, the United States noted that Trinidad and Tobago's applied most favored nation rate exceeded the bound rate on 59 lines in 2018. During 2021-2022, Trinidad and Tobago reported no substantial progress on meeting WTO obligations, including failure to adhere to notification requirements on export subsidies, quantitative restrictions, customs valuation, applied tariffs, state trading enterprises, regional trade agreements, and sanitary and phytosanitary measures. The government has previously pointed to a lack of capacity to explain the failure to meet notification requirements

*Market Access/WTO Rules:* The United States and Trinidad and Tobago concluded a bilateral investment treaty in 1994. The country provides equitable and reasonable access for U.S. goods and services.

*Reverse Preferences:* During the reporting period, Trinidad and Tobago did not afford preferential treatment to the products of a developed country, other than the United States. Trinidad and Tobago is a member of CARIFORUM, and party to the CARIFORUM-EU EPA. CARIFORUM countries have committed to progressively reduce their tariffs to zero for 87 percent of EU products by 2033. In March 2019, the CARIFORUM-United Kingdom EPA was signed and it includes a similar tariff reduction schedule.

*Protection of Intellectual Property:* Trinidad and Tobago has drafted legislation to implement its obligations under the TRIPS Agreement. Enforcement remains weak and inconsistent.

*Intellectual Property/Broadcast Copyright Violations:* Trinidad and Tobago remains on the USTR's Special 301 Watch List for 2023. Despite pledges to take enforcement action, the Telecommunications Authority of Trinidad and Tobago (TATT) continues to extend the forbearance period of its enforcement of the concessions agreement it requires of domestic broadcasters, which mandates respect for IP. The concession agreement prohibits broadcasters

from transmitting any program, information, or other material without first obtaining all required permissions from relevant IP right holders. The United States remains concerned about the lack of enforcement action against companies in Trinidad and Tobago that violate the agreement, particularly the two state-owned telecommunications networks, both of which broadcast unlicensed U.S. content.

*Provision of Internationally Recognized Worker Rights:* Trinidad and Tobago has ratified all eight of the 10 ILO core labor conventions —those related to freedom of association, collective bargaining, forced labor, child labor, equal remuneration, and non-discrimination. The Industrial Relations Act (IRA) provides that all workers, including those in state-owned enterprises, may form and join independent unions, bargain collectively, and conduct legal strikes, but with some limitations.

The law establishes a 40-hour workweek, a daily period for lunch or rest, and premium pay for overtime. The law does not prohibit excessive or compulsory overtime.

Occupational safety and health standards are appropriate for the main industries in the country. The law gives workers the right to remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities generally protected this right.

Trinidad and Tobago remained on the Tier 2 Watch List in the State Department's 2023 Trafficking in Persons Report for the third consecutive year. Over the 2023 Trafficking in Persons Report's reporting period, Trinidad and Tobago did not demonstrate overall increasing efforts compared to the previous period, and required a waiver to remain on the Tier 2 watchlist, instead of being demoted to Tier 3. Although the constitution prohibits forced labor, as does the 2011 Trafficking in Persons Act, courts have never convicted a trafficker under the 2011 anti-trafficking law. The Counter-Trafficking Unit of the Ministry of National Security is responsible for investigating potential forced labor cases and referring cases for prosecution.

The law sets the minimum age for employment at 16 years of age. However, the 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.

*Commitments to Eliminate the Worst Forms of Child Labor:* Trinidad and Tobago has laws prohibiting the worst forms of child labor, although it does not adequately prohibit hazardous child labor. DOL has not included a country profile for Trinidad and Tobago in recent *Findings on the Worst Forms of Child Labor*.

*Transparency in Government Procurement:* Trinidad and Tobago is not a signatory to the WTO GPA. Though the government has passed legislation to standardize procedures and regulations for public procurement, the new system is still being operationalized. Public procurement processes suffer from widespread perceptions of corruption, anti-competitiveness, and a lack of transparency.

Though U.S. companies compete for and have won government service contracts, they identify non-transparent procedures as an impediment to foreign direct investment. Contracts are

frequently awarded outside the tender process in favor of specific vendors. The SOEs of the People's Republic of China (PRC) benefit from this lack of transparency and since 2005 have secured all large public construction projects in the country. The updated government procurement legislation excludes government-to-government procurement; hence, non-competitive, non-transparent deals with PRC SOEs are expected to continue to crowd out opportunities for U.S. companies to compete for large government construction requirements.

*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 since the last report.

*Nationalization/Expropriation:* The United States is not aware of any cases of nationalization or expropriation of the property belonging to U.S. citizens during the reporting period.

*Extradition:* In 1996, the United States and Trinidad and Tobago have signed a bilateral extradition treaty and mutual legal assistance treaty in criminal matters.

*Implementation of the Inter-American Convention against Corruption (IACAC):* Trinidad and Tobago signed and ratified the IACAC in 1998 and became a state party to the convention in 2001.

*Counternarcotics Cooperation:* Trinidad and Tobago meets U.S. counternarcotics certification criteria under the Foreign Assistance Act of 1961. The Department of State's 2022 International Narcotics Control Strategy Report identified Trinidad and Tobago as a transit point for illegal drugs destined for Europe, North America, and the rest of the Caribbean, but it continues to make progress in its efforts to investigate and dismantle drug networks. The United States supports a wide range of efforts designed to address crime and violence affecting citizens of Trinidad and Tobago, primarily through the CBSI.

*Trade-Distorting Measures:* The United States is unaware of any export subsidies or trade distorting measures during the reporting period.

*Self-Help Measures:* Trinidad and Tobago promotes economic diversification, including through development in priority export sectors such as agro-processing.

*Contribution to Regional Revitalization:* Trinidad and Tobago is an active participant in CARICOM and supports its vision of creating a single market economy in order to boost regional integration.

*Cooperation in Administration of the CBERA:* Trinidad and Tobago continues to cooperate with the United States in the administration of the CBERA.

## **VI. Summary of Public Comments**

Two companies and seven organizations 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 July 19, 2023 (88 FR 46360). The full text of these submissions are available for review at the *Regulations.gov* website, under docket number USTR-2023-0006. Relevant comments are summarized below.

### **American Apparel & Footwear Association (AAFA)**

The American Apparel & Footwear Association (AAFA) expresses its support for Caribbean Basin preference programs like CBERA/CBTPA and emphasizes the importance of securing a long-term (10+ years) extension of the Haiti HOPE and HELP Act preference programs. AAFA notes that according to Commerce-OTEXA data from 2022, close to 100 percent (by volume) of apparel imported into the U.S. under CBTPA and Haiti HOPE/HELP was imported from Haiti. AAFA warns that pending expiration of Haiti HOPE/HELP in 2025 coupled with increased security concerns have led many companies to rethink their sourcing strategy with regards to Haiti. AAFA argues that a sourcing shift out of Haiti threatens the employment of 53,000 workers in the Haitian apparel export industry and 90 percent of Haiti's exports to the U.S. They call for Haiti HOPE/HELP to be extended for 10 or more years.

### **National Pork Producers Council (NPPC)**

The National Pork Producers Council (NPPC), which represents more than 66,000 U.S. pork producers, seeks equitable and reasonable access to certain CBI countries for U.S. pork. The NPPC supports the objectives of the CBI to help Caribbean countries diversify exports, grow their economies, and liberalize their trade regimes. They also stated that it is reasonable to require that Jamaica take concrete steps, including completing a risk assessment and granting market access for U.S. pork. The NPPC added that Belize and Saint Kitts and Nevis should take steps to ensure predictable market access for U.S. pork. The NPPC stated its support for trade preferences that allow goods from eligible Caribbean countries to enter the U.S. market duty-free as long as those nations provide equitable and reasonable access to U.S. exports.

### **National Council of Textile Organizations (NCTO)**

The National Council of Textile Organizations (NCTO) supports CBI and its auxiliaries in their current form, but strongly opposes any effort to expand the list of beneficiaries or loosen its rules of origin for textile and apparel goods. NCTO believes such actions would harm U.S. producers and create a backdoor for China to export forced-labor-made cotton, fibers, and fabrics into the United States. It also urges caution in expanding textiles and apparel trade benefits outside of the Caribbean. Due to the precarious nature of CBI supply chains, NCTO believes actions such as lowering China Section 301 tariffs or permitting further increases in de minimis shipments would not only have devastating effects on the American textiles industry, but also on Caribbean producers and CBI at large.

## **Hanes Brands Inc. (HBI)**

Hanes Brands Inc. (HBI) operates an apparel cutting and sewing facility in the CODEVI Free Zone of Haiti. This factory is important for not only the Haitian workers, but for cotton growers in the United States and yarn-spinners in the Dominican Republic. HBI says this supply chain is only economically feasible due to the CBTPA. Due to recent violence threatening the sustainability of their operations, HBI urges the U.S. government to become more involved in securing stability in Haiti. Furthermore, it requests that trade preference programs like Haiti HOPE and the CBTPA be updated to minimize requirements that force companies to seek documentation and services from the non-functional Haitian government. Specifically, it requests the removal of visa requirements under Haiti HOPE. HBI says it is rethinking Haiti's viability in its supply chains, and believes these actions will make it easier to continue.

## **American Chamber of Commerce of Trinidad and Tobago (AMCHAM T&T)**

The American Chamber of Commerce of Trinidad and Tobago (AMCHAM T&T) fully supports the extension and expansion of the CBI. AMCHAM T&T is concerned about the underutilization of the CBI and argues for modifications of CBERA's Rules of Origin and increased "sensitization" of the CBI's benefits and requirements among business communities in the U.S. and in the Caribbean. AMCHAM T&T argues that the strict rules of origin under CBERA, particularly for textiles and apparel have become untenable with the departure of countries from the initiative through FTAs like CAFTA-DR. They request that the list of countries from which raw or contributory materials can be imported be expanded to include both current and former beneficiaries of the CBI. They also call for USTR to work with the Ministry of Trade and AMCHAM T&T to launch a program of sensitization to help Caribbean businesses identify opportunities under the CBI and gather further information on the operation of the initiative.

## **ACT | The App Association**

The App Association calls for the expansion of CBERA and CBTPA performance evaluation categories to include monitoring of seven trade barriers related to the digital economy. There are cross-border data flows, data localization policies, duties and taxes on digital content, source code transfer and inspection, strong encryption techniques, intellectual property protections, and the application of competition law. In all the above categories, the App Association argues that the U.S. should use the CBI and other bilateral and multilateral trade agreements to ensure that data can move freely within the region and that U.S. software development companies can conduct their operations without being subject to regulations, controls, and taxation that may impede market access.

## **Haiti Pathway Forward**

Haiti Pathway Forward calls for the expansion of CBI preferences to more sectors, tariff lines, and products to encourage product diversification. They argue that the Haiti HOPE and HELP Acts promote subassembly and not manufacturing which has not created a sustainable industrial base in the country. They note that the preference programs have failed to create stable formal employment or sufficient export revenues to fund social services, while creating tensions over

land use between manufacturers and farmers. They call for capacity building initiatives to accompany the garment sector and support social programs and workplace protection for workers. They encourage the development of preference programs in sectors other than the apparel sector using lessons learned from the HOPE and HELP Acts.

### **Caribbean Shipowners Association (CSO)**

The Caribbean Shipowners Association (CSO) supports the renewal and possible improvement of CBI and its auxiliary components. This association of American foreign commerce carriers provide service to fifteen out of seventeen CBI countries. CSO believes CBI is critical to the continuing recovery of the region from the COVID-19 pandemic and recent bouts of violence in Haiti. It says CBI is equally important in countering PRC investment in the region and in providing the necessary incentives for U.S. companies to expand their Caribbean operations. CSO suggests USTR should convene a group of U.S. retailers to discuss the benefits of relocating to the Caribbean from other nations, particularly in the Indo-Pacific.

**Appendix I: U.S. Imports for Consumption from CBI Countries by Selected Programs, 2020-2022 and January-July 2022 and 2023**

In thousands of dollars and percentages.

Country	Import Program	2020		2021		2022		2022 January - July		2023 January - July	
		Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total
Antigua and Barbuda	CBERA	36	0.7	0	0	7	0.1	7	0.1	11	0.1
	Otherwise duty free	4,208	86.5	28,675	98.2	7,805	90.9	4,990	90.5	7,567	74.2
	Dutiable imports	620	12.8	512	1.8	773	9.0	516	9.4	2,623	25.7
	Total	4,864	100.0	29,188	100.0	8,585	100.0	5,513	100.0	10,202	100.0
Aruba	CBERA	32	0.1	212	0.8	35	0.2	15	0.2	53	0.5
	Otherwise duty free	33,212	98.1	26,073	96.2	15,366	95.4	6,160	93.7	9,256	94.7
	Dutiable imports	614	1.8	817	3.0	700	4.3	399	6.1	470	4.8
	Total	33,857	100.0	27,102	100.0	16,101	100.0	6,574	100.0	9,778	100.0
Bahamas	CBERA	56,751	21.0	71,478	16.0	80,108	4.7	47,077	6.5	27,872	2.8
	Otherwise duty free	190,064	70.5	310,416	69.5	532,527	30.9	308,990	42.9	541,771	53.9
	Dutiable imports	22,860	8.5	64,553	14.5	1,108,023	64.4	363,856	50.5	435,502	43.3
	Total	269,675	100.0	446,447	100.0	1,720,657	100.0	719,922	100.0	1,005,145	100.0
Barbados	CBERA	7,567	16.3	779	1.8	641	1.3	306	1.0	303	1.1
	Otherwise duty free	37,582	81.1	40,821	95.7	47,305	92.4	27,725	95.0	26,699	95.5
	Dutiable imports	1,195	2.6	1,060	2.5	3,233	6.3	1,162	4.0	942	3.4
	Total	46,345	100.0	42,660	100.0	51,179	100.0	29,194	100.0	27,945	100.0
Belize	CBERA	15,439	30.1	15,835	23.5	20,975	34.5	8,936	31.6	2,020	7.1
	GSP	9,382	18.3	3,849	5.7	1,661	2.7	1,066	3.8	12,196	43.0
	Otherwise duty free	22,036	42.9	44,870	66.5	37,122	61.0	17,670	62.5	13,654	48.1
	Dutiable imports	4,504	8.8	2,944	4.4	1,082	1.8	589	2.1	515	1.8
	Total	51,361	100.0	67,498	100.0	60,840	100.0	28,261	100.0	28,385	100.0
British Virgin Islands	Otherwise duty free	7,322	86.8	3,586	77.0	3,765	88.7	2,147	83.9	6,123	96.2
	Dutiable imports	1,115	13.2	1,072	23.0	482	11.3	412	16.1	244	3.8
	Total	8,438	100.0	4,658	100.0	4,247	100.0	2,559	100.0	6,367	100.0

Country	Import Program	2020		2021		2022		2022 January - July		2023 January - July	
		Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total
Curaçao	CBERA	155	0.6	105	0.3	837	1.8	794	4.4	54	0.1
	CBTPA	0	0.0	0	0.0	15,380	32.3	0	0.0	0	0.0
	Otherwise duty free	23,291	84.9	37,501	92.8	26,633	55.9	15,067	82.9	51,909	92.4
	Dutiable imports	3,978	14.5	2,796	6.9	4,765	10.0	2,305	12.7	4,245	7.6
	Total	27,425	100.0	40,402	100.0	47,615	100.0	18,166	100.0	56,208	100.0
Dominica	CBERA	50	2.8	17	0.7	13	0.8	9	1.6	5	0.3
	GSP	17	0.9	0	0.0	0	0.0	0	0.0	0	0.0
	Otherwise duty free	1,525	84.5	2,096	82.9	1,307	85.7	430	74.8	1,423	82.3
	Dutiable imports	213	11.8	416	16.4	206	13.5	136	23.6	302	17.5
	Total	1,804	100.0	2,529	100.0	1,526	100.0	575	100.0	1,730	100.0
Grenada	CBERA	2,485	20.1	2,637	17.3	3,975	23.9	2,515	21.6	2,096	22.0
	GSP	76	0.6	65	0.4	8	0.0	3	0.0	0	0.0
	Otherwise duty free	9,057	73.1	11,747	77.0	12,001	72.1	8,673	74.6	7,005	73.5
	Dutiable imports	776	6.3	817	5.3	668	4.0	432	3.7	436	4.6
	Total	12,394	100.0	15,265	100.0	16,651	100.0	11,623	100.0	9,538	100.0
Guyana	CBERA	2,493	0.3	3,169	0.1	23,127	0.8	15,121	0.9	6,573	0.4
	CBTPA	262,901	35.8	185,122	8.5	508,908	17.9	311,132	19.1	1	0.0
	GSP	17,466	2.4	356	0.0	428	0.0	243	0.0	182	0.0
	Otherwise duty free	239,691	32.6	352,315	16.2	307,649	10.8	216,061	13.3	201,339	10.9
	Dutiable imports	212,071	28.9	1,627,499	75.1	2,002,018	70.4	1,087,516	66.7	1,647,292	88.8
	Total	734,622	100.0	2,168,461	100.0	2,842,129	100.0	1,630,073	100.0	1,855,386	100.0
Haiti	CBERA	20,775	2.5	21,787	2.0	15,775	1.5	13,880	2.1	3,388	0.7
	CBTPA	174,195	21.0	257,842	23.4	237,575	22.7	160,192	23.8	111,261	23.3
	Haiti Hope <sup>1</sup>	573,237	69.1	749,969	68.1	740,125	70.7	462,948	68.8	335,401	70.3
	GSP	3,185	0.4	417	0.0	930	0.1	867	0.1	209	0.0
	Otherwise duty free	39,122	4.7	47,190	4.3	36,984	3.5	23,715	3.5	22,804	4.8
	Dutiable imports	18,601	2.2	24,227	2.2	15,556	1.5	11,573	1.7	4,034	0.8
	Total	829,116	100.0	1,101,433	100.0	1,046,944	100.0	673,175	100.0	477,097	100.0

Country	Import Program	2020		2021		2022		2022 January - July		2023 January - July	
		Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total
Jamaica	CBERA	109,036	28.5	122,535	24.3	116,042	33.3	64,726	31.9	79,992	34.5
	CBTPA	0	0.0	0	0.0	17,706	5.1	17,706	8.7	0	0.0
	GSP	7,937	2.1	2,384	0.5	1,877	0.5	773	0.4	403	0.2
	Otherwise duty free	260,449	68.1	338,383	67.0	191,586	55.0	110,466	54.4	124,092	53.5
	Dutiable imports	5,754	1.5	41,710	8.3	20,842	6.0	9,206	4.5	27,441	11.8
	Total	383,176	100.0	505,012	100.0	348,053	100.0	202,876	100.0	231,928	100.0
Montserrat	Otherwise duty free	1,222	79.8	1,084	75.7	735	48.1	509	71.7	327	56.4
	Dutiable imports	308	20.2	349	24.3	794	51.9	201	28.3	253	43.6
	Total	1,531	100.0	1,432	100.0	1,529	100.0	710	100.0	580	100.0
Saint Kitts and Nevis	CBERA	3,307	6.6	4,606	11.5	6,708	21.6	3,730	17.3	3,456	25.9
	Otherwise duty free	42,091	84.0	32,919	82.5	22,192	71.4	16,515	76.5	8,963	67.0
	Dutiable imports	4,690	9.4	2,373	5.9	2,172	7.0	1,334	6.2	949	7.1
	Total	50,088	100.0	39,897	100.0	31,072	100.0	21,579	100.0	13,368	100.0
Saint Lucia	CBERA	575	6.8	599	5.7	875	8.0	389	6.1	530	11.1
	GSP	149	1.8	8	0.1	32	0.3	18	0.3	9	0.2
	Otherwise duty free	7,098	83.8	9,422	89.9	9,621	88.0	5,697	89.2	3,976	83.1
	Dutiable imports	646	7.6	455	4.3	408	3.7	282	4.4	268	5.6
	Total	8,467	100.0	10,483	100.0	10,936	100.0	6,386	100.0	4,784	100.0
Saint Vincent and the Grenadines	CBERA	0	0	24	0.4	129	1.5	90	1.8	20	0.5
	GSP	54	1.0	17	0.3	0	0.0	0	0.0	8	0.2
	Otherwise duty free	5,245	92.7	5,171	95.0	8,323	96.4	4,798	95.9	3,780	96.2
	Dutiable imports	358	6.3	234	4.3	184	2.1	117	2.3	120	3.1
	Total	5,657	100.0	5,446	100.0	8,637	100.0	5,005	100.0	3,929	100.0

Country	Import Program	2020		2021		2022		2022 January - July		2023 January - July	
		Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total
Trinidad and Tobago	CBERA	294,489	11.2	532,119	12.8	484,137	9.0	258,420	8.0	154,391	7.8
	CBTPA	284,581	10.9	221,844	5.3	398,181	7.4	309,121	9.6	35,721	1.8
	Otherwise duty free	1,747,696	66.7	3,069,459	73.6	3,764,040	69.9	2,267,887	70.4	1,329,049	67.0
	Dutiable imports	293,892	11.2	346,687	8.3	740,077	13.7	383,732	11.9	464,636	23.4
	Total	2,620,657	100.0	4,170,109	100.0	5,386,435	100.0	3,219,160	100.0	1,983,797	100.0

Source: USITC DataWeb/Census, accessed September 7, 2023. Data reflect all official USDOC revisions for 2020-2022 as of this date.

Note: Imports for consumption, customs value.