

**ECONOMIC PARTNERSHIP AGREEMENT  
BETWEEN THE CARIFORUM STATES, OF THE ONE PART,  
AND THE EUROPEAN COMMUNITY AND ITS MEMBER STATES,  
OF THE OTHER PART**

<b><u>Objectives</u></b>	<p>Article 1 The objectives of this Agreement are: a) Contributing to the reduction and eventual eradication of poverty through the establishment of a trade partnership consistent with the objective of sustainable development, the Millennium Development Goals and the Cotonou Agreement; b) Promoting regional integration, economic cooperation and good governance thus establishing and implementing an effective, predictable and transparent regulatory framework for trade and investment between the Parties and in the CARIFORUM region; c) Promoting the gradual integration of the CARIFORUM States into the world economy, in conformity with their political choices and development priorities; d) Improving the CARIFORUM States' capacity in trade policy and trade related issues; e) Supporting the conditions for increasing investment and private sector initiative and enhancing supply capacity, competitiveness and economic growth in the CARIFORUM region; f) Strengthening the existing relations between the Parties on the basis of solidarity and mutual interest. To this end, taking into account their respective levels of development and consistent with WTO obligations, the Agreement shall enhance commercial and economic relations, support a new trading dynamic between the Parties by means of the progressive, asymmetrical liberalisation of trade between them and reinforce, broaden and deepen cooperation in all areas relevant to trade and investment.</p>
<b><u>Signatories</u></b>	<p>Antigua &amp; Barbuda, The Bahamas, Barbados, Belize, Dominica, The Dominican Republic, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent &amp; the Grenadines, Suriname, Trinidad and Tobago, <b>of the one part, and</b> Belgium, Czech Republic, Denmark, Germany, Estonia, The Hellenic Republic, Spain, The French Republic, Ireland, The Italian Republic, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, The Netherlands, Austria, Poland, The Portuguese Republic, Slovenia, The Slovak Republic, Finland, Sweden, The United Kingdom of Great Britain &amp; Northern Ireland, Bulgaria, Romania</p>

	<p><b>and THE EUROPEAN COMMUNITY, of the other part.</b></p>
<p><b><u>Date of signature</u></b></p>	<p>December 16<sup>th</sup>, 2007 (?)</p>
<p><b><u>Environmental provisions addressing environmental concerns</u></b></p>	<p><b>Part I – Trade Partnership for Sustainable Development – Article 3 – Sustainable Development</b></p> <p>1. The Parties reaffirm that the objective of sustainable development is to be applied and integrated at every level of their economic partnership, in fulfilment of the overarching commitments set out in Articles 1, 2 and 9 of the Cotonou Agreement, and especially the general commitment to reducing and eventually eradicating poverty in a way that is consistent with the objectives of sustainable development.</p> <p>2. The Parties understand this objective to apply in the case of the present Economic Partnership Agreement as a commitment that:</p> <p>(a) the application of this Agreement shall fully take into account the human, cultural, economic, social, health and environmental best interests of their respective population and of future generations</p> <p><b>Part I – Trade Partnership for Sustainable Development – Article 8 – Cooperation Priorities</b></p> <p>1. Development co-operation provided for in Article 7 shall be primarily focused on the following areas as further articulated in the individual chapters of this Agreement:</p> <p>(v) Enhancing the technological and research capabilities of the CARIFORUM States so as to facilitate development of, and compliance with, internationally recognised sanitary and phytosanitary measures and technical standards and internationally recognised labour and environmental standards</p> <p><b>Part II – Title I - Trade and Trade-Related Matters– Chapter 5 – Agriculture and Fisheries – Article 1 – Objectives</b></p> <p>1. The Parties agree that the fundamental objective of this Agreement is the sustainable development and the eradication of poverty in CARIFORUM States, and the smooth and gradual integration of these economies into the global economy. In the agricultural and fisheries sectors, this Agreement should contribute to increasing the competitiveness of production, processing and trade in agricultural and fishery products in both traditional and non-traditional sectors, between the Parties, consistent with the sustainable management of natural resources.</p> <p>3. The Parties recognize that the fisheries and marine ecosystems of the CARIFORUM States are complex, biologically diverse and fragile and that exploitation should take into account these factors through effective conservation and management of fisheries resources and related ecosystems based on sound scientific advice and on the precautionary principle as defined by the FAO Code of Conduct on Responsible Fisheries.</p> <p>5. The Parties agree to take full account of the diversity of the economic, social and environmental characteristics and needs and development strategies of the CARIFORUM States.</p>

**Part II – Title I- Trade and Trade-Related Matters– Chapter 6 – Technical Barriers to Trade – Article 1 – Objectives**

2(a) The objectives of this Chapter are to: facilitate trade in goods between the Parties while maintaining and increasing the capacity of [the Parties] to protect health, safety, consumers and the environment

**Part II – Title I- Trade and Trade-Related Matters– Chapter 7 – Sanitary and Phyto-sanitary Measures – Article 2 – Objectives**

The objectives of this Chapter are to:

- (a) facilitate trade between the Parties while maintaining and increasing the capacity of the Parties to protect plant, animal and public health;
- (b) improve the capacity of the Parties to identify, prevent and minimize unintended disruptions or barriers to trade between the Parties as the result of measures necessary to protect plant, animal and public health within the Parties

**Part II – Title II- Investment, Trade in Services and E-Commerce– Chapter 2 – Commercial Presence – Article 11 – Behaviour of Investors**

3. Investors do not manage or operate their investments in a manner that circumvents international environmental or labour obligations arising from agreements to which the EC Party and the Signatory CARIFORUM States are parties

**Part II – Title II- Investment, Trade in Services and E-Commerce– Chapter 2 – Commercial Presence – Article 12 – Maintenance of Standards**

The EC Party and the Signatory CARIFORUM States shall ensure that foreign direct investment is not encouraged by lowering domestic environmental, labour or occupational health and safety legislation and standards or by relaxing core labour standards or laws aimed at protecting and promoting cultural diversity.

**Part II – Title II- Investment, Trade in Services and E-Commerce– Chapter 5 – Regulatory Framework – Section 7 – Tourism Services - Article 55 – Environmental and quality standards**

The EC Party and the Signatory CARIFORUM States shall encourage compliance with environmental and quality standards applicable to tourism services in a reasonable and objective manner, without constituting unnecessary barriers to trade, and shall endeavour to facilitate the participation of the Signatory CARIFORUM States in relevant international organizations setting environmental and quality standards applicable to tourism services.

**Part II – Title II- Investment, Trade in Services and E-Commerce– Chapter 5 – Regulatory Framework – Section 7 – Tourism Services - Article 56 – Development cooperation and technical assistance**

2. Subject to the provisions of Article 7 of this Agreement, the Parties agree to cooperate, including by facilitating support in the following areas:  
(ii) capacity building for environmental management in tourism areas at the regional and local level

**Part II – Title IV- Trade Related issues– Chapter 2 – Innovation and Intellectual Property – Section 1 – Innovation - Article 8– Cooperation on eco-innovation and renewable energy**

1. With a view to achieving sustainable development and in order to help maximise any positive and prevent any negative environmental impacts resulting from this Agreement, the Parties recognise the importance of fostering forms of innovation that benefit the environment in all sectors of their economy. Such forms of eco-innovation include energy efficiency and renewable sources of energy.

2. Subject to the provisions of Article 7 of Part I of this Agreement and Article 4 of this Section, the Parties agree to cooperate, including by facilitating support, in the following areas:

- (a) projects related to environmentally-friendly products, technologies, production processes, services, management and business methods, including those related to appropriate water-saving and Clean Development Mechanism applications;
- (b) projects related to energy efficiency and renewable energy;
- (c) promotion of eco-innovation networks and clusters, including through public-private partnerships;
- (d) exchanges of information, know-how and experts;
- (e) awareness-raising and training activities;
- (f) preparation of studies and provision of technical assistance;
- (g) collaboration in research and development;
- (h) pilot and demonstration projects.

**Part II – Title IV- Trade Related issues– Chapter 4 – Environment – Article 1– Objectives and sustainable development context**

1. The Parties reaffirm that the principles of sustainable management of natural resources and the environment are to be applied and integrated at every level of their partnership, as part of their overriding commitment to sustainable development as set out in Articles 1 and 2 of the Cotonou Agreement.

2. The Parties recall that Article 32 of the Cotonou Agreement includes environment and natural resources as thematic and cross-cutting issues, and that the fundamental principles of ownership, participation, dialogue and differentiation set out in Article 2 of the Cotonou Agreement are therefore particularly relevant.

3. The Parties and the Signatory CARIFORUM States are resolved to conserve, protect and improve the environment, including through multilateral and regional environmental agreements to which they are parties.

4. The Parties reaffirm their commitment to promoting the development of international trade in such a way as to ensure sustainable and sound management of the environment, in accordance with their undertakings in this area including the international conventions to which they are party and with due regard to their respective level of development.

5. The Parties and the Signatory CARIFORUM States are resolved to make efforts to facilitate trade in goods and services which the Parties consider to be beneficial to the environment. Such products may include environmental technologies, renewable- and energy-efficient products and services and eco-labelled goods.

**Part II – Title IV- Trade Related issues– Chapter 4 – Environment – Article 2– Levels of protection and right to regulate**

1. Recognizing the right of the Parties and the Signatory CARIFORUM States to regulate in order to achieve their own level of domestic

environmental and public health protection and their own sustainable development priorities, and to adopt or modify accordingly their environmental laws and policies, each Party and the Signatory CARIFORUM States shall seek to ensure that its own environmental and public health laws and policies provide for and encourage high levels of environmental and public health protection and shall strive to continue to improve those laws and policies.

2. The Parties agree that the special needs and requirements of CARIFORUM States shall be taken into account in the design and implementation of measures aimed at protecting environment and public health that affect trade between the Parties.

3. Provided that such measures are not applied in a manner that would constitute a means of arbitrary or unjustifiable discrimination between the Parties or a disguised restriction on trade between them, nothing in this Agreement shall be construed to prevent any Party and the Signatory CARIFORUM States from adopting or maintaining measures necessary to protect human, animal or plant life or health, related to the conservation of natural resources or protection of the environment.

**Part II – Title IV- Trade Related issues– Chapter 4 – Environment – Article 3– Regional integration and use of international environmental standards**

In the light of the environmental challenges facing their respective regions, and in order to promote the development of international trade in such a way as to ensure sustainable and sound management of the environment, the Parties recognise the importance of establishing effective strategies and measures at the regional level. The Parties agree that in the absence of relevant environmental standards in national or regional legislation, they shall seek to adopt and implement the relevant international standards, guidelines or recommendations, where practical and appropriate.

**Part II – Title IV- Trade Related issues– Chapter 4 – Environment – Article 4– Scientific information**

The Parties recognise the importance, when preparing and implementing measures aimed at protecting environment and public health that affect trade between the Parties, of taking account of scientific and technical information, the precautionary principle, and relevant international standards, guidelines or recommendations.

**Part II – Title IV- Trade Related issues– Chapter 4 – Environment – Article 5 – Transparency**

The Parties and the Signatory CARIFORUM States commit to developing, introducing and implementing any measures aimed at protecting environment and public health that affect trade between the Parties in a transparent manner, with due notice and public and mutual consultation and with appropriate and timely communication to and consultation of non-state actors including the private sector. The Parties agree that satisfying the provisions on transparency included in the Chapter 6 and 7 of Title I of this Agreement shall be deemed to satisfy the provisions of this article as well.

**Part II – Title IV- Trade Related issues– Chapter 4 – Environment – Article 6 – Upholding levels of protection**

1. Subject to Article 2.1, the Parties agree not to encourage trade or foreign direct investment to enhance or maintain a competitive advantage by:

- (a) lowering the level of protection provided by domestic environmental and public health legislation;
- (b) derogating from, or failing to apply such legislation.

2. The Parties and the Signatory CARIFORUM States commit to not adopting or applying regional or national trade or investment-related legislation or other related administrative measures as the case may be in a way which has the effect of frustrating measures intended to benefit, protect or conserve the environment or natural resources or to protect public health.

	<p><b>Part II – Title IV- Trade Related issues– Chapter 4 – Environment – Article 8– Cooperation</b></p> <p>1. The Parties recognize the importance of cooperating on environmental issues in order to achieve the objectives of this Agreement.</p> <p>2. Subject to the provisions of Article 7 of Part I of this Agreement, the Parties agree to cooperate, including by facilitating support in the following areas:</p> <ul style="list-style-type: none"> <li>(a) Technical assistance to producers in meeting relevant product and other standards applicable in European Community markets;</li> <li>(b) Promotion and facilitation of private and public voluntary and market-based schemes including relevant labelling and accreditation schemes;</li> <li>(c ) Technical assistance and capacity building, in particular to the public sector, in the implementation and enforcement of multilateral environmental agreements, including with respect to trade-related aspects;</li> <li>(d) Facilitation of trade between the Parties in natural resources, including timber and wood products, from legal and sustainable sources;</li> <li>(e) Assistance to producers to develop and/or improve production of goods and services, which the Parties consider to be beneficial to the environment; and</li> <li>(f) Promotion and facilitation of public awareness and education programmes in respect of environmental goods and services in order to foster trade in such products between the Parties.</li> </ul> <p><b>Part IV – General Exceptions – Article 1 – General exceptions clause</b></p> <p>1. Subject to the requirement that such measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between the Parties where like conditions prevail, or a disguised restriction on trade in goods, services or establishment, nothing in this Agreement shall be construed to prevent the adoption or enforcement by the EC Party, the CARIFORUM States or a Signatory CARIFORUM State of measures which:</p> <ul style="list-style-type: none"> <li>(b) are necessary to protect human, animal or plant life or health;</li> <li>(f) relate to the conservation of exhaustible natural resources if such measures are made effective in conjunction with restrictions on domestic production or consumption of goods, domestic supply or consumption of services and on domestic investors;</li> </ul>
<p><b><u>Provisions or Agreements on Environmental Cooperation</u></b></p>	
<p><b><u>Secretariat</u></b></p>	