

FINAL ACT

The representatives of:

ANTIGUA AND BARBUDA,

THE COMMONWEALTH OF THE BAHAMAS,

BARBADOS,

BELIZE,

THE COMMONWEALTH OF DOMINICA,

THE DOMINICAN REPUBLIC,

GRENADA,

THE REPUBLIC OF GUYANA,

THE REPUBLIC OF HAITI,

JAMAICA,

SAINT CHRISTOPHER AND NEVIS,

SAINT LUCIA,

SAINT VINCENT AND THE GRENADINES,

THE REPUBLIC OF SURINAME,

THE REPUBLIC OF TRINIDAD AND TOBAGO,

hereinafter referred to as the "CARIFORUM States",

of the one part, and

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBURG,

THE REPUBLIC OF HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European Community and the Treaty on European Union, hereinafter referred to as the "Member States of the European Union", and

THE EUROPEAN COMMUNITY,

of the other part

meeting at Bridgetown, Barbados on the second day of September in the year two thousand and eight for the signature of the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part, have at the time of signature of the Agreement:

- adopted the following Annexes, Protocols and the Joint Declarations:

ANNEX I: Export Duties

ANNEX II: Customs Duties on Products Originating in CARIFORUM States

ANNEX III: Customs Duties on Products Originating in the EC Party

ANNEX IV: Lists of Commitments on Investment and Trade in Services

ANNEX V: Enquiry Points (referred to in Article 86)

ANNEX VI: Covered Procurements

ANNEX VII: Means of Publication

PROTOCOL I: Concerning the Definition of the Concept of "Originating Products" and Methods of Administrative Cooperation

PROTOCOL II: On Mutual Administrative Assistance in Customs Matters

PROTOCOL III: On Cultural Cooperation

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Final Act.

JOINT DECLARATIONS

JOINT DECLARATION ON DEVELOPMENT COOPERATION

The Parties recognize the important adjustment challenges that the implementation of this Agreement will pose, in particular to smaller economies among the CARIFORUM States. The Parties agree that an important number of commitments undertaken in this Agreement will require the rapid start of reforms. The Parties also recognize regional infrastructure as an important tool to enable the CARIFORUM States to take full advantage of the opportunities offered by this Agreement.

The Parties reaffirm the importance of ensuring the most efficient use of development finance resources, in order to meet the objectives of this Agreement, to maximize its potential and support its proper implementation, as well as to support the CARICOM Development Vision.

The Parties note the availability of EUR 165 Million for financing the 10th EDF Caribbean Regional Indicative Programme (CRIP) and recall that under the Revised Cotonou Agreement, a successor to the current Financial Protocol will be agreed for the period 2014 – 2020. The Parties further recognize that the funds allocated to the Caribbean Regional Indicative Programme (CRIP) in the 10th EDF are to be complemented by Aid for Trade contributions by Member States of the European Union (EU).

Pursuant to both the EU Aid for Trade Strategy adopted in October 2007 and the funding instruments enumerated in Article 7 of Part I of this Agreement, the Member States of the European Union confirm their intention to ensure that an equitable share of Member States' Aid for Trade commitments will benefit the Caribbean ACP States, including for funding programmes related to the implementation of this Agreement.

The Parties agree on the benefits of regional development mechanisms, including a regional development fund, accessible to all CARIFORUM States, to mobilize and channel Economic Partnership Agreement related development resources from the European Union and other potential donors. In this respect, the European Commission and the Member States of the European Union will consider the necessary arrangements with the CARICOM Development Fund, once established, with a view to providing to the Fund resources to support the execution of programmes related to the implementation of this Agreement, as well as to support related adjustment measures and economic reforms. The EU contribution would complement the contribution that will have been made by the Caribbean States and other donors.

The Parties agree that addressing CARIFORUM's most immediate development cooperation priorities, related to the implementation of this Agreement, would be accorded high priority in the programming of resources, notably, those made available under the 10th EDF.

JOINT DECLARATION
ON BANANAS

The Parties recognize the importance of bananas to the economic development of a number of CARIFORUM countries in terms of employment, foreign exchange and social and political stability.

They similarly recognize that CARIFORUM banana exports to the EU have been helped in the past by a substantial tariff preference and that the maintenance of such preference for as long as possible would increase the benefits resulting from this Agreement.

The CARIFORUM States also consider that the possible reduction of the MFN tariff and the implementation of Free Trade Agreements between the EC Party and certain third countries would pose significant competitive challenges for the banana industry in several CARIFORUM countries.

Within the framework of European Community funding instruments, both Parties will decide on the programming of funds, in complementarity to the actions already funded, and with respect to the still available funds under the Special Framework of Assistance (SFA), to help the CARIFORUM banana industry to further adjust to the new challenges, including activities aimed at increasing the productivity and competitiveness in areas of viable production, the development of alternatives both within and outside the banana industry, addressing social impact arising from changes in the sector and for disaster mitigation.

JOINT DECLARATION
ON USED GOODS

With regard to the controls on the importation of motor vehicles and motorcycles older than five years, and vehicles greater or equal to five tons older than 15 years, pursuant to Dominican Republic Law No 147 of 27 December 2000 the EC Party undertakes not to challenge this law irrespective of the question of its compatibility with the Agreement.

JOINT DECLARATION
ON RICE

The Parties commit to ensuring that the licensing and other arrangements for the administration of the tariff rate quota for rice, referred to in paragraph 2 of Annex II, are kept under detailed review with a view to ensuring that the CARIFORUM rice exporting States obtain the maximum benefits of this Agreement.

JOINT DECLARATION
ON REALLOCATION OF UNDELIVERED QUANTITIES
UNDER THE SUGAR PROTOCOL

The EC Party and the Signatory CARIFORUM States party to the Sugar Protocol shall seek to reallocate until 30 September 2009 any undelivered quantities from such States amongst other CARIFORUM States party to the Sugar Protocol to the extent permitted by Article 7 of the Protocol.

JOINT DECLARATION
RELATING TO PROTOCOL I
ON THE ORIGIN OF FISHERY PRODUCTS

The EC Party acknowledges the right of the coastal CARIFORUM States to the development and rational exploitation of the fishery resources in all waters within their jurisdiction.

The Parties agree that the existing rules of origin have to be examined in order to determine what possible changes may have to be made in the light of the first paragraph.

Conscious of their respective concerns and interests, the CARIFORUM States and the EC Party agree to continue examining the problem posed by the entry, onto EC Party markets, of the fishery products from catches made in zones within the national jurisdiction of the CARIFORUM states, with a view to arriving at a solution satisfactory to both sides. This examination shall take place in the Special Committee on Customs Cooperation and Trade Facilitation.

JOINT DECLARATION
RELATING TO PROTOCOL I
CONCERNING THE PRINCIPALITY OF ANDORRA
AND THE REPUBLIC OF SAN MARINO

1. Products originating in the Principality of Andorra falling within Chapters 25 to 97 of the Harmonised System and products originating in the Republic of San Marino shall be accepted by the CARIFORUM States as originating in the European Community within the meaning of this Agreement.
2. Protocol I shall apply *mutatis mutandis* for the purpose of defining the originating status of the abovementioned products.

– taken note of the following Declaration:

DECLARATION
OF THE CARIFORUM STATES
RELATING TO PROTOCOL I ON THE ORIGIN
OF FISHERY PRODUCTS FROM THE EXCLUSIVE ECONOMIC ZONE

The CARIFORUM States reaffirm the point of view they expressed throughout the negotiations on rules of origin in respect of fishery products and consequently maintain that following the exercise of their sovereign rights over fishery resources in the waters within their national jurisdiction, including the Exclusive Economic Zone, as defined in the United Nations Convention on the Law of the Sea, all catches effected in those waters obligatorily landed in the ports of the CARIFORUM states for processing should enjoy originating status.
