

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



United States Trade Representative
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Abbreviations and Acronyms

Acronyms	Term
AML	Anti-Money Laundering
ATPA	Andean Trade Preference Act
BEA	Bureau of Economic Analysis (U.S. Department of Commerce)
BRI	Belt and Road Initiative
CAFTA-DR	Central America-United States-Dominican Republic Free Trade Agreement
CARICOM	Caribbean Community
CARIFORUM	Caribbean Forum
CBERA	Caribbean Basin Economic Recovery Act
CBEREA	Caribbean Basin Economic Recovery Expansion 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
CRC	UN Convention on the Rights of the Child
CSM	CARICOM Single Market
CSME	CARICOM Single Market and Economy
CTF	Countering Terrorism Financing
DEA	U.S. Drug Enforcement Agency
DOL	U.S. Department of Labor
EB	Bureau of Economic and Business Affairs (U.S. Department of State)
ECLAC	Economic Commission for Latin America and the Caribbean (United Nations)
EIA	U.S. Energy Information Agency (U.S. Department of Energy)
EIAP	Earned Import Allowance Program
EIU	Economist Intelligence Unit
EPA	Economic Partnership Agreement
FATF	Financial Action Task Force
FDI	Foreign Direct Investment
FTA	Free Trade Agreement
GAO	U.S. Government Accountability Office
GDP	Gross Domestic Product
GPA	WTO Agreement on Government Procurement
GSP	Generalized System of Preferences
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)

Acronyms	Term
HTS	Harmonized Tariff Schedule of the United States
IACAC	Inter-American Convention against Corruption
ICSID	International Center for Settlement of Investment Disputes
ILO	International Labor Organization
IMF	International Monetary Fund
INCSR	International Narcotics Control Strategy Report
INL	Bureau of International Narcotics and Law Enforcement (U.S. Department of State)
IP	intellectual property
ITA	International Trade Administration (U.S. Department of Commerce)
LNG	Liquefied Natural Gas
MFN	Most-Favored-Nation
MTBE	Methyl Tertiary-Butyl Ether
NAFTA	North American Free Trade Agreement
n.e.s.o.i.	not elsewhere specified or included
NIR	Net International Reserves
NTR	Normal Trade Relations (U.S. term; same as MFN elsewhere)
OAS	Organization of American States
OECS	Organization of Eastern Caribbean States
OTEXA	Office of Textiles and Apparel (U.S. Department of Commerce)
PCT	Patent Cooperation Treaty
RSS	Regional Security System
SME	Small and Medium-Sized Enterprises
TFA	WTO Trade Facilitation Agreement
TRIPS	Trade-Related Aspects of Intellectual Property Rights Agreement
TRQ	Tariff-Rate Quota
UN	United Nations
UNCTAD	UN Conference on Trade and Development
UNDP	United Nations Development Program
USAF	U.S. Air Force
USAID	U.S. Agency for International Development
USD	U.S. Dollar
USDOC	U.S. Department of Commerce
USDOE	U.S. Department of Energy
USDOS	U.S. Department of State
USITC	U.S. International Trade Commission
USTR	U.S. Trade Representative
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). 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 countries¹ to liberalize their trade regimes, the trade benefits of 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 2018, CBI beneficiary countries supplied \$6 billion of U.S. imports, ranking 44th among U.S. import suppliers. U.S. imports from CBI beneficiaries increased for a second consecutive year to \$6 billion in 2018 up from \$5.8 billion in 2017, and \$5.3 billion in 2016. The increase was mostly due to increases in the value of U.S. imports of petroleum and petroleum-related products, apparel, and methanol, reflecting an overall increase in merchandise imports in the United States.
- U.S. imports under the CBI tariff preferences also increased for a second consecutive year to \$1 billion in 2018, up from \$960 million in 2017 and \$871 million in 2016. The increase in 2018, 7.4 percent, was preceded by an increase of 10.3 percent in 2017. The changes were primarily driven by increases in the value of U.S. imports of two products: methanol from Trinidad and Tobago and cotton T-shirts from Haiti.
- U.S. export growth to the region has been a corollary benefit of the CBI. In 2018, the value of total U.S. exports to CBI countries amounted to \$13.4 billion, a 10.3 percent increase from the previous year. In 2017, U.S. exports were \$12.2 billion, a 16.4 percent increase from 2016. Collectively, the CBI region ranked 22nd among U.S. export destinations in 2018 and absorbed 1 percent of total U.S. exports to the world.
- U.S. total goods trade (total exports plus general imports) with the CBI countries was \$19.4 billion in 2018. The U.S. goods trade surplus with the CBI countries reached \$7.4 billion in 2018.

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

- Although the effect of CBI on the U.S. economy generally was negligible during the reporting period and is likely to remain so, CBI continues to have a positive impact on a number of Caribbean Basin economies. By one measure, Haiti has been the largest beneficiary of CBI trade preferences in recent years. 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. Along with inter-agency partners, USTR is working with beneficiary countries that are not fully complying with obligations in order to determine whether any action is necessary to effectuate compliance.
- During the reporting period, engagement under the CBI framework and the Trade and Investment Council Agreement signed with CARICOM resulted in Trinidad and Tobago starting to enforce a concessions agreement that requires cable operators to respect IP. USTR had noted this outstanding commitment in previous versions of this report and the Special 301 Report. In December of 2019, the Jamaican House of Representatives passed the Patent and Design Act, which is intended to modernize the country's IP laws and is expected to pass its Senate. This report, since 2015, and the Special 301 Report since 1998, noted the importance of passing this legislation.

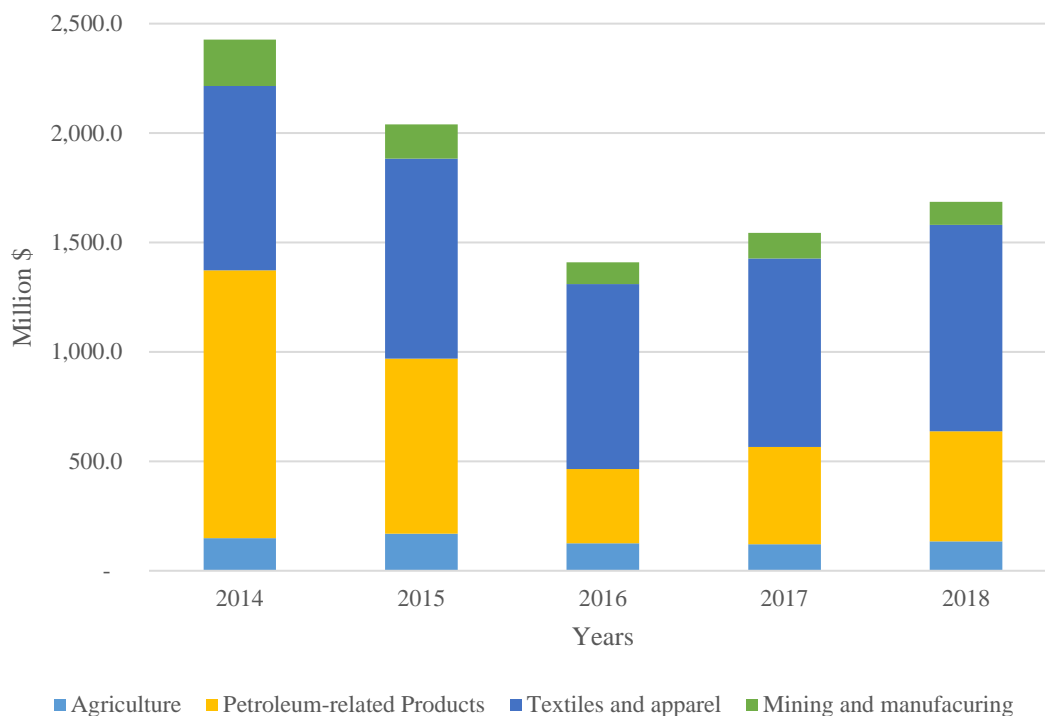
Introduction

The Caribbean Basin Initiative (CBI) is a collection of programs that are important elements in U.S. economic relations with its neighbors in the Caribbean and Central America. The CBI was initially launched in 1983 with the passage of the Caribbean Basin Economic Recovery Act (CBERA) and substantially expanded in 2000 with the Caribbean Basin Trade Partnership Act (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 2019, 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.

U.S. imports under CBERA accounted for 27.8 percent of all imports from CBERA beneficiaries in 2018. U.S. imports grew from \$5.8 billion in 2017 to \$6.1 billion in 2018, an increase of 4.7 percent. U.S. imports under CBERA grew from \$1.5 billion in 2017 to \$1.7 billion in 2018, an increase of 9.1 percent.

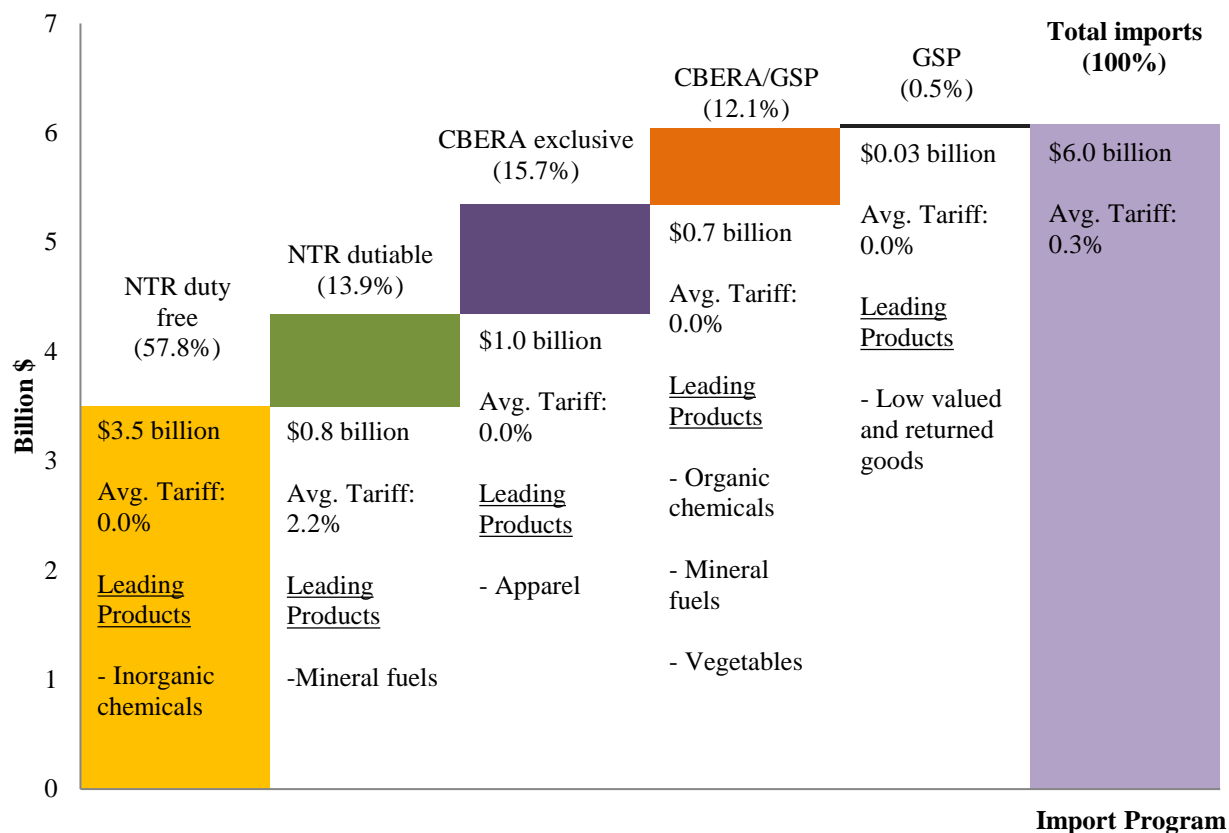
Figure 1: U.S. imports under CBERA, by major product categories, 2014-2018 (million USD)



Source: Compiled official statistics of the U.S. Department of Commerce (USDOC) (accessed November 5, 2019). Data reflects all official USDOC revisions for 2014-2018 as of November 5, 2019.

CBERA and CBTPA 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, Curacao, Dominica, Guyana, Haiti, Jamaica, Montserrat, Saint Kitts and Nevis, Saint Lucia, St. Vincent and the Grenadines, and Trinidad and Tobago. While CBI covers several industries throughout the Caribbean, Chapter III of this report includes an appraisal regarding opportunities for greater use of the program. In 2018, Guyana, Belize, Trinidad and Tobago, The Bahamas, and Jamaica exported greater percentages of CBERA-eligible products to the United States outside special preference programs than under CBI.

Figure 2: U.S. Imports from CBERA beneficiary countries, by import program and as a share of total imports from those countries, 2018



Source: Compiled from official statistics of the Department of Commerce (accessed November 5, 2019).

Notes: “NTR” refers to normal trade relations (or Most Favored Nation, 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 CBERA. “CBERA/GSP” imports are imports of products that enter the United States under CBERA but were also eligible for duty-free entry under the Generalized System of Preferences (GSP) program. “Avg. 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.

CBI beneficiary countries are subject to eligibility criteria set out in the various statutes. These criteria, and the performance of CBI eligible countries and dependent territories in addressing them, are discussed in detail in Chapters IV and V.

Pursuant to section 212(f) of the CBERA, on a biennial basis the United States Trade Representative (USTR) is required to submit a report to Congress with the results of the general review of beneficiary countries and their performance under the eligibility criteria. This is USTR's thirteenth report covering CBERA and encompasses the period 2017-18. 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 of public comments submitted for the preparation of this report.

I. Description of Caribbean Basin Initiative

Key Product Eligibility Provisions

CBERA

The Caribbean Basin Economic Recovery Act (CBERA), enacted in 1983, allows the President to grant unilateral duty-free treatment for imports of eligible articles from CBI beneficiary countries.² In order to receive benefits, products generally must: a) be imported directly from a CBI beneficiary country into the U.S. customs territory; b) be wholly the growth, product or manufacture of a CBI beneficiary country or be substantially transformed into a new or different article in the CBI beneficiary country; and c) contain a minimum of 35 percent local content of one or more CBI beneficiary countries (15 percent of the minimum content may be from the United States).

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

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 the Generalized System of Preferences (GSP). Textile and apparel articles, and petroleum and certain products derived from petroleum are excluded from duty-free treatment under the original CBERA.

CBTPA

In October 2000, the United States enacted the Caribbean Basin Trade Partnership Act (CBTPA) to enhance existing CBERA preferences.³ 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. CBTPA has been renewed several times since it was enacted in 2000 and is set to expire September 30, 2020, absent action on pending legislation.

Under the CBTPA, duty- and quota-free treatment is provided for apparel assembled in CBI countries from U.S. fabrics formed from U.S. yarns and cut in the United States. If the U.S. fabrics used in the production of such apparel are cut into parts in the CBTPA beneficiary countries rather than in the United States, the apparel must also be sewn together with U.S. thread

² Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 201, 97 Stat. 384 (1983).

³ Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211, 114 Stat. 276 (2000).

in order to qualify for preferential treatment. Duty- and quota-free treatment is also available for certain knit apparel made in CBTPA beneficiary countries from fabrics formed in the Caribbean Basin region, provided that the fabric is formed from U.S. yarns. This “regional fabric” benefit for knit apparel is subject to an annual quantitative limit, with a separate limit provided for t-shirts. The limits were subject to annual growth rates of 16 percent through September 30, 2004. (These limits were later amended by the Trade Act of 2002, discussed below.) Duty- and quota-free treatment is also available for certain brassieres, certain textile luggage, apparel made in CBI countries from fabrics determined not to be available in commercial quantities in the United States, and designated “hand-loomed, handmade, or folklore” articles.

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

Trade Act of 2002

The Trade Act of 2002 amended the CBERA to grant additional benefits to Caribbean Basin apparel products.⁴ 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 Haitian Hemispheric Opportunity through Partnership Encouragement Act in 2006 (HOPE Act) to make Haiti eligible for further trade benefits.⁵ Under the CBTPA, apparel imports from Haiti only qualify for duty-free treatment if they are made from yarns and/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 percent⁶, an increase from 50 percent as of December 2017) of the value of inputs and processing costs is from any combination of United States, FTA partner countries, and regional preference program partner countries; the quota level, calculated

⁴ Trade Act of 2002, Pub. L. No. 107-210, § 101, 116 Stat. 933 (2002).

⁵ Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006, Pub. L. No. 109-432, § 5001, 120 Stat. 3180 (2006).

⁶ 19 U.S.C. Sec. 2703a(b)(1)(B)(v)(I).

on an annual basis, is 1.25 percent of total U.S. apparel imports, and has historically been underutilized. The threshold percentage increases to 60 percent during the term of the program.

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 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, United States, FTA partner countries, or regional preference program beneficiary countries to qualify for duty-free treatment.

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 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 (see country notes for Haiti, p. 54-57).

HOPE II Act

The Haitian Hemispheric Opportunity through Partnership Act Encouragement Act of 2008 (HOPE II Act) was enacted in 2008 to continue and expand the original HOPE Act.⁷ 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.

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 Labor Organization (ILO), established a Technical Assistance Improvement and Compliance Needs Assessment and Remediation (TAICNAR) Program. Haiti also implemented an electronic visa system that acts as a registry of Haitian producers of articles eligible for duty-free treatment and has made participation in the TAICNAR Program a condition of using this visa system.

⁷ Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008, Pub. L. No. 110-246, § 15401, 122 Stat. 2289 (2008).

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 USTR, his authority to identify any such producers and provide remediation assistance to them. For the two-year period ending in December 2017, 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 18, 2019 and is available on USTR's website <https://ustr.gov/about-us/policy-offices/press-office/reports-and-publications/2019/2019-hope-ii-annual-report>.

HELP Act

In May 2010, President Obama signed the Haiti Economic Lift Program Act (HELP Act).⁸ The HELP Act further expanded existing preferences for apparel (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. With the exception of the Value-Added tariff rate quota), the HELP Act extended all of CBTPA's and the HOPE/HOPE II preference programs through September 2025.

Trade Preferences Extension Act of 2015

The Trade Preferences Extension Act of 2015 (TPEA) extends duty-free benefit programs for Haiti for an additional five years, until September 30, 2025.⁹ The TPEA lengthens 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.

⁸ Haiti Economic Lift Program Act of 2010, Pub. L. No. 111-171, § 1, 124 Stat. 1194 (2010).

⁹ Trade Preferences Extension Act of 2015, Pub. L. No. 114-27, § 101, 129 Stat. 361 (2015).

Beneficiary Countries

As of 2019, 17 countries and dependent territories receive CBERA and/or CBTPA benefits. Chapter 3 discusses the CBERA and CBTPA eligibility criteria and provides a summary of CBI country compliance with these criteria on the part of CBI countries. The President is authorized to terminate a country's designation, limit, suspend, or withdraw CBI benefits if conditions change with regard to performance in connection with the statutory eligibility criteria. CBERA identified 20 countries and dependent territories as eligible to receive CBERA benefits on January 1, 1984: Antigua and Barbuda, Barbados, Belize, British Virgin Islands, Costa Rica, Dominica, Dominican Republic, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Montserrat, Netherlands Antilles, Panama, St. Kitts and Nevis, Saint Lucia, St. Vincent and the Grenadines, and Trinidad and Tobago. The Bahamas was designated on March 14, 1985. On April 11, 1986, Aruba was designated as a beneficiary country effective January 1, 1986, upon becoming independent of the Netherlands Antilles. Guyana was designated effective November 24, 1988, and Nicaragua was designated as a beneficiary country effective November 13, 1990. This brought the total number of beneficiary countries to 24.

Anguilla, Cayman Islands, Suriname, and Turks and Caicos Islands have also been identified by Congress as potentially eligible for benefits. Suriname requested beneficiary status in 2009. The other countries have not requested beneficiary status.

Based on the 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 NAFTA. As of the date of this report, eight countries have satisfied this requirement and have been designated as fully eligible to receive the enhanced benefits of the CBTPA: Barbados, Belize, Curaçao, Guyana, Haiti, Jamaica, Saint Lucia, and Trinidad and Tobago. The United States may designate additional CBTPA eligible beneficiaries in the future, provided that they satisfy the customs-related requirements.

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

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

Table 1: CBERA and CBTPA beneficiary countries and territories

Current CBERA-eligible countries and territories, and their dates of designation if not original beneficiaries:	Current CBTPA-eligible countries and territories:
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 St. Kitts and Nevis Saint Lucia St. Vincent and the Grenadines Trinidad and Tobago	Barbados Belize Curaçao Guyana Haiti Jamaica Saint Lucia Trinidad and Tobago

Congress 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 NAFTA 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 after June 30, 1999 and before January 1, 2022, the rate at which the amounts transferred are calculated is \$13.25 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 have satisfied all of the requirements for benefiting from this provision: Antigua and Barbuda, Aruba, Bahamas, Barbados, Curaçao, Dominica, Grenada, Guyana, Jamaica, Saint Lucia, and Trinidad and Tobago.¹⁰

Reports

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

USITC Economic Effects Report: Section 215 of the CBERA requires the U.S. International Trade Commission (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 24th report on the impact of the CBERA to the President and Congress in September 2019¹¹. The USITC concluded that CBERA continues to have a positive effect on a number of Caribbean Basin countries and a negligible impact on U.S. imports, producers, and consumers. While imports increased in 2018, the USITC concluded that the future effect of the CBERA on the United States will likely remain negligible.

Worst Forms of Child Labor Report: The Trade and Development Act of 2000 requires the Secretary of Labor to prepare a report on the progress of GSP beneficiary countries, including CBI beneficiaries, toward implementation of their international commitments “to eliminate the worst forms of child labor.” The most recent report was published in September 2019.¹²

With the exception of the British Virgin Islands and Montserrat, all CBERA beneficiary countries have ratified ILO Convention No. 182 on the Worst Forms of Child Labor. Also, many of the beneficiary countries studied in the 2018 report showed both ongoing efforts and new efforts with respect to governmental policies and programs to eliminate the worst forms of child labor, however many received a “Minimal Advancement” ranking on the most recent report. These efforts are described in the individual country reports in Chapter 3 and are being closely monitored by USTR in light of CBI benefits. The Department of Labor and other donors have funded child labor elimination projects implemented by a variety of organizations, including the International Labor Organization International Program on the Elimination of Child Labor (ILO-IPEC), in the Caribbean to improve labor rights and working conditions in agriculture, to combat child labor in other hazardous sectors such as garbage collecting and fireworks manufacturing, and to prevent the commercial sexual exploitation of children.

¹⁰ See IRS Revenue Ruling 2016-16 or any successor guidance.

¹¹ USITC Publication 4985, available at <https://www.usitc.gov/publications/332/pub4985.pdf>

¹² The latest publicly accessible report is available at https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2018/ChildLaborReportBook.pdf.

Meetings with Caribbean Basin Trade Ministers

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

In May 2013, the United States signed a Trade and Investment Framework Agreement with the Caribbean Community and Common Market (CARICOM). USTR convened the ninth Trade and Investment Committee meeting under the CARICOM Trade and Investment Framework Agreement in June 2019 in Miami.

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 from CBI countries is presented in Appendix 1 of this report.

At their peak in 2005, U.S. imports for consumption¹³ from CBI countries were \$32.0 billion, and CBI countries combined constituted the 12th-largest supplier of U.S. imports, ahead of Italy and just behind Venezuela. In 2018, CBI beneficiary countries supplied \$6 billion of U.S. imports, ranking 44th among U.S. import suppliers, ahead of Nigeria and behind Bangladesh. In 2005, CBI beneficiary countries supplied nearly 2 percent of total imports into the United States, but the share decreased to 0.2 percent in 2018, primarily due to the exit of the CAFTA-DR beneficiaries, the Netherlands Antilles, and Panama from the CBI program (see Table 2).¹⁴ U.S. imports from CBI beneficiaries increased for a second consecutive year to \$6 billion in 2018 and \$5.8 in 2017, up from \$5.3 billion in 2016. The increase was mostly due to increases in the value of U.S. imports of petroleum and petroleum-related products, apparel, and methanol, reflecting an overall increase in merchandise imports in the United States.

Table 2: U.S. Trade with CBI beneficiary countries, 2014-2018 and January-August of 2018 and 2019

Year	U.S. Total Exports to World ²	U.S. Exports to CBI Countries		U.S. Total Imports from World ³	U.S. Total Imports from CBI Countries		U.S. Trade Balance with CBI Countries ⁴
	Million \$	Million \$	Percent of U.S. Total	Million \$	Million \$	Percent of U.S. Total	Million \$
2014	1,398,850.3	12,742.8	0.9	2,324,939.6	8,484.1	0.4	4,258.7
2015	1,286,172.4	11,635.0	0.9	2,227,237.3	7,051.7	0.3	4,583.3
2016	1,226,925.6	10,475.5	0.9	2,172,182.6	5,319.7	0.2	5,155.9
2017 ⁵	1,307,681.0	12,189.4	0.9	2,327,360.3	5,800.4	0.2	6,388.9
2018	1,413,447.2	13,448.5	1.0	2,552,407.0	6,020.1	0.2	7,428.3
Jan-Aug 2018	938,796.5	8,686.6	0.9	1,678,511.8	4,005.2	0.2	4,681.5
Jan-Aug 2019	927,908.5	9,443.4	1.0	1,671,968.3	3,829.8	0.2	5,613.6

¹³ Data in this report reflect the trade between eligible CBI countries and the United States. Import data in this report refer to imports for consumption, unless otherwise noted; while exports are domestic exports (excludes re-exports), free alongside ship (F.A.S.) value.

¹⁴ Netherlands Antilles ceased to be a beneficiary when it was dissolved as a political entity in October 2010. Panama ceased to be a CBI beneficiary upon the entry into force of the United States-Panama Trade Promotion Agreement on October 31, 2012. Curaçao was designated a CBERA beneficiary effective January 1, 2014 and designated a CBTPA beneficiary on August 18, 2015. U. S. imports from CBI countries reflect the exit and entry of these countries from the CBERA program (see Table 2).

¹Values for U.S. trade with CBERA countries include individual country trade data only for those months in the period during which those countries were eligible for CBERA benefits.

²Domestic exports (excludes re-exports), free alongside ship (F.A.S.) value.

³Imports for consumption, customs value.

⁴Trade balance is domestic exports minus imports for consumption.

⁵Data for U.S. imports and exports for 2017 and 2018 have been updated as of July 1, 2019 based on the latest official revisions from the Census Bureau (the first official revisions for 2019 data will not be available until June 2020).

Source: Compiled from official statistics of the U.S. Department of Commerce (USDOC) (Accessed October 30, 2019). Data reflect all official USDOC revisions for 2014-2018 as of this date.

U.S. imports under the CBI tariff preferences also increased for a second consecutive year to \$1 billion in 2018, up from \$960 million in 2017 and \$871 million in 2016 (see Table 3). The increase in 2018, 7.4 percent, was preceded by an increase of 10.3 percent in 2017. The changes were primarily driven by increases in the value of U.S. imports of two products: methanol from Trinidad and Tobago and cotton T-shirts from Haiti. In 2018, petroleum related products accounted for approximately 30 percent of imports under the CBI preferential program, of which Trinidad and Tobago's methanol represented 89 percent of those imports. Textiles and apparel imports from Haiti accounted for 56 percent of U.S. imports under the program (including the Hope Acts), with cotton T-shirts accounting for 30 percent of such imports. U.S. imports from Haiti under the HOPE Acts increased by 54 percent to \$649 million in 2018. The remaining U.S. imports under the CBI preferences were agricultural products, 8 percent, and mining and manufacturing products, 6 percent.

Table 3: U.S. Imports from CBI Countries by Program, 2016-2018 and January-August of 2018 and 2019

Import Program	2016	2017	2018	2018 Jan - Aug	2019 Jan - Aug	Change 2016-2017	Change 2017-2018	Change Jan - Aug
	<i>Million \$</i>					<i>Percent</i>		
CBI	870.6	960.4	1,031.3	736.9	385.3	10.3	7.4	-47.7
CBERA	478.7	616.6	686.9	487.4	170.0	28.8	11.4	-65.1
CBTPA	391.9	343.8	344.4	249.5	215.3	-12.3	0.2	-13.7
GSP	27.8	31.6	32.0	26.7	14.2	13.8	1.1	-46.7
HOPE Acts	295.0	420.5	649.1	414.1	487.4	42.5	54.3	17.7
Otherwise duty-free	3,349.0	3,484.1	3,470.7	2,281.9	2,219.9	4.0	-0.4	-2.7
Dutiable imports	777.2	903.9	837.2	545.5	723.0	16.3	-7.4	32.5
Total	5,319.7	5,800.4	6,020.1	4,005.2	3,829.8	9.0	3.8	-4.4

¹Imports for consumption, customs value. U.S. Virgin Islands imports are not included. Data for U.S. imports and exports for 2017 and 2018 have been updated as of July 1, 2019 based on the latest official revisions from the Census Bureau (the first official revisions for 2019 data will not be available until June 2020).

Source: Compiled from official statistics of the U.S. Department of Commerce (USDOC) (accessed November 4, 2019). Data reflect all official USDOC revisions for 2016-2019 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, excluding imports under HOPE Acts. In 2018, the United States imported \$551.8 million from Trinidad and Tobago under CBI tariff preferences, an increase of 13.1 percent from 2017 (see Appendix). Methanol (\$449.4 million), and petroleum and petroleum-related products (\$55.4 million) dominated these imports. In 2018, U.S. imports of methanol (Methyl alcohol) increased by 18.8 percent, mostly because of its higher price. Approximately, 97 percent of methanol imports entered under CBI provisions. U.S. imports of petroleum and petroleum-related products from Trinidad and Tobago declined by 15.6 percent in 2018, continuing their decline since 2016.

Haiti has been the second leading source of U.S. imports under CBI tariff preferences – excluding imports under the HOPE Acts - since 2009 after Costa Rica exited the CBI program. U.S. imports from Haiti consisted mostly of textiles and apparel. In 2018, such imports amounted to \$297.4 million under CBI provisions and \$649.1 million under the HOPE Acts (two HOPE Acts and HELP). Textiles and apparel accounted for about 94 percent of U.S. imports from Haiti and almost all imports of textiles and apparel from Haiti entered under CBTPA or the HOPE Acts. In 2018, much of the continued growth in U.S. imports of textiles and apparel from Haiti was attributed to the HOPE Acts preferences, which once again surpassed apparel imports under CBTPA provisions (see Appendix 1). Imports of textiles and apparel from Haiti at preferential tariff rates rose 16.8 percent in 2017 and 32.7 percent in 2018 as the utilization of preferences under the HOPE Acts increased. Imports that entered free of duty under the HOPE Acts accounted for about 69 percent of total U.S. duty-free imports of textiles and apparel goods from the region in 2018.

Jamaica was the third leading supplier of U.S. imports under the CBI tariff preferences in 2018. U.S. imports from Jamaica under the CBI preferences amounted to \$83.7 million in 2018. Yams and sauces and fruit preparations were the main imports from Jamaica. Prior to 2010, Jamaica had been a source of fuel ethanol for the United States, but developments in global sugar markets and Brazil in 2013-2016 resulted in reduced supplies of the feedstock used by dehydrators in Jamaica. As a result, there have not been any U.S. imports of fuel ethanol from CBI countries since 2014.

The United States continues to have a small amount of bilateral (non-CBI) trade with many of the Caribbean economies. Imports under CBI tariff preferences accounted for relatively important proportions of total U.S. imports from several of these countries. In 2018, imports under CBERA as a share of total U.S. imports from each country ranged from nearly zero percent (Aruba, Curaçao, and Montserrat) to as high as 95.1 percent (Haiti)¹⁵. In addition to petroleum and other energy-related products and apparel, products such polystyrene (The Bahamas), electrical equipment (St. Kitts and Nevis), orange juice (Belize), guavas and mangos (Haiti), and papayas (Belize) were imported under CBI tariff preferences from these smaller Caribbean economies.

¹⁵ Includes both U.S. imports under CBI preferences and the HOPE Acts.

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, U.S. domestic exports¹⁶ 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. 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 Central America-United States-Dominican Republic Free Trade Agreement (CAFTA-DR) and the U.S.-Panama Trade Promotion Agreement;¹⁷ these countries received 68.4 percent of U.S. exports to CBI beneficiaries in 2005, valued at \$18 billion. In 2018, the value of total U.S. exports to CBI countries amounted to \$13.4 billion, a 10.3 percent increase from the previous year. In 2017, U.S. exports were \$12.2 billion, a 16.4 percent increase from 2016 (see Table 4). Collectively, the CBI region ranked 22nd among U.S. export destinations in 2018 and absorbed 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 2018 were The Bahamas, Jamaica, Trinidad and Tobago, Haiti, and British Virgin Islands. These five countries accounted for over 68 percent of U.S. exports to the region in 2018. The leading export categories included refined petroleum products; civilian aircraft, engines, and parts; rice; caustic soda; chicken cuts; and wheat.

Table 4: U.S. exports to CBI Countries, 2014-2018 and January-August of 2018 and 2019 (million USD)

Country	2014	2015	2016	2017	2018	2018 Jan-Aug	2019 Jan-Aug
Antigua Barbuda	173.1	645.1	233.8	379.6	490.6	308.2	314.6
Aruba	1,200.3	1,101.3	737.2	879.4	534.3	375.2	274.7
The Bahamas	3,160.4	2,265.7	2,016.8	2,948.2	2,890.5	1,780.4	2,098.8
Barbados	432.3	486.3	383.2	416.9	472.4	263.6	292.5
Belize	224.3	269.6	246.5	278.3	391.8	227.2	251.0
British Virgin Islands	196.0	241.9	229.9	313.8	680.9	378.5	341.4
Curaçao	568.2	470.5	827.9	652.9	665.9	554.6	194.8
Dominica	57.1	62.5	46.7	152.2	167.8	131.9	253.6
Grenada	76.7	81.9	78.4	94.4	109.7	75.6	67.5
Guyana	334.7	330.2	409.8	348.4	491.2	287.8	397.1
Haiti	1,172.8	1,111.9	1,034.5	1,355.1	1,343.8	933.3	864.2

¹⁶ As previously noted, export data in this report refer to domestic exports (F.A.S) value, unless otherwise noted.

¹⁷ 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 a designated CBERA beneficiary country with the entry into force on October 31, 2012 of the U.S.-Panama Trade Promotion Agreement.

Jamaica	2,032.6	1,592.3	1,508.0	1,969.5	2,462.9	1,573.4	1,625.2
Montserrat	8.5	6.0	8.6	8.4	16.8	9.3	9.6
St Kitts and Nevis	158.5	136.3	128.5	223.8	188.1	123.4	103.0
Saint Lucia	670.5	499.3	416.9	521.9	594.5	411.2	573.3
St Vincent and the Grenadines	98.1	80.1	82.9	76.9	78.6	50.3	71.5
Trinidad and Tobago	2,178.9	2,254.2	2,086.0	1,569.7	1,868.9	1,202.8	1,710.6
Total	12,742.8	11,635.0	10,475.5	12,189.4	13,448.5	8,686.6	9,443.4

¹Domestic exports, free alongside ship (F.A.S.) value.

Source: Compiled from official statistics of the U.S. Department of Commerce (USDOC) (accessed October 30, 2019). Data reflect all official USDOC revisions for 2014-2018 as of this date.

III. Utilization Potential

Utilization Gap

As mentioned in the previous chapter, imports into the United States under CBI have increased during the reporting period. That said, there is room for growth in several product categories. Table 5 breaks down the tariff programs utilized by the top five U.S. imports eligible under CBI. All these stand out for the significant value entering the United States from non-CBI eligible countries with a potential duty.

Table 5: U.S. total imports for consumption and selected programs for top 5 CBI-eligible imports, 2018 (million USD)

Program	Methanol (Methyl alcohol) (2905.11.20)	Cotton T- shirts (6109.10.00)	Man-made fibers Sweaters (6110.30.30)	Cotton Sweaters (6110.20.20)	Man-made Fibers T- shirts (6109.90.10)
MFN					
Duty free	0.0	0.0	0.0	0.0	0.0
Dutiable	319.6	1,955.8	3,925.4	6,054.8	674.6
CBERA	449.4	0.0	0.0	0.0	0.0
CBTPA	0.0	189.0	0.4	79.2	15.6
GSP	0.0	0.0	0.0	0.0	0.0
Sum	769.0	2,144.9	3,925.7	6,134.0	690.2
All other	125.6	2,030.7	2,244.7	1,387.9	1,120.5
Total	894.6	4,175.5	6,170.5	7,521.9	1,810.7

Source: Compiled from official statistics of the U.S. Department of Commerce (USDOC) (accessed November 19, 2019). Data reflect all official USDOC revisions for 2016-2019 as of this date.

In addition, there are several products eligible for CBI preferences imported into the United States in 2018 that did not claim a preference program.

Plastic household goods from Bahamas: Nearly two thirds of the Bahamas' exports of plastic household goods (HS 3924.90.56) eligible under CBERA/CBTPA are being exported under no program. \$12,000 was imported in 2018 under no preference program.

Dried kidney beans from Belize: While a majority of Belize's dried kidney bean exports (HS 0713.33.40) to the United States claimed CBI or GSP preferences, over a quarter of those exports, \$26,199 in 2017 and \$10,648 in 2018, entered the United States under no preference program.

Chilled or frozen fish fillets from Guyana: In 2018, the United States imported a total of \$23,993 of chilled or frozen fish fillets (HS 0304.99.91) from Guyana. Despite being eligible under CBERA/CBTPA, over 72% or \$17,458 were imported under no preference program compared to \$6,535 that claimed CBI preferences.

Jewelry and rum from Jamaica: In 2017 and 2018, the United States imported \$123,229 of non-silver jewelry (HS 7113.19.50) eligible under CBERA/CBPTA from Jamaica. Of these imports, 82% or \$101,044 was exported under no preference program.

Most of Jamaica's rum exports (HS 2208.40.20) eligible under CBERA/CBTPA are being exported under no program. \$11,014,847 was imported in 2018 under no preference program compared to only \$1,798,244 entering under CBI.

Measuring instruments from St. Kitts and Nevis: In 2018, the United States imported \$4,353,617 of measuring instruments (HS 9031.80.80) eligible under CBERA/CBTPA from St. Kitts and Nevis under no preference program. Only \$178,434 was imported from St. Kitts and Nevis claiming CBI preferences that year.

Plastic bottles from Trinidad and Tobago: In 2017, a clear majority, 86.5%, of Trinidadian exports of carboys, bottles, and flasks (HS 3923.30.00) entered the United States under no preference program. \$108,813 of eligible plastic bottles entered the United States without claiming preferences in comparison to \$16,957 that did.

Highlights of products from the Caribbean traded with the United States

There are several CBI-eligible products that the United States does not produce and for which there is increasing demand as inputs or final products.

1. Bauxite ore and Jamaica

Bauxite ore is the primary raw material for aluminum metal. Bauxite undergoes a chemical refining process whereby it is converted into alumina. The alumina is then further processed (i.e. smelted) into aluminum metal. The United States lacks sufficient bauxite reserves, so U.S. alumina are almost entirely reliant on imported ores and concentrates. Jamaica is the largest source of U.S. imports of bauxite ores and concentrates, accounting for 40.5 percent of U.S. imports in 2018, in terms of value. Other major sources include Brazil, Guyana, and China, which accounted for 19.2 percent, 18.7 percent, and 10.9 percent, respectively, of U.S. imports in 2018. The U.S. lacks sufficient domestic alumina refining capacity to meet domestic consumption needs, so primary aluminum smelters (i.e. consumers of alumina) also rely on imported product to supplement their raw material needs. Jamaica was the third largest source of refined alumina after Brazil and Australia, accounting for 10.2 percent of U.S. imports in 2018, by value.

2. Coffee and Jamaica

Coffee is grown in tropical regions and typically shipped as green (unroasted) beans. The beans are then roasted and distributed for retail. Due to the specific growing conditions necessary, the United States lacks the ability to grow sufficient coffee to satisfy domestic demand. Accordingly, U.S. firms are dependent upon imported coffee beans. To date, only Hawaii, Puerto Rico, and California are able to grow coffee and only in minimal amounts. From CBERA countries, Jamaica is the largest source of U.S. imports of coffee beans, accounting for 83.2 percent of U.S. imports

from CBERA beneficiaries in 2018 by value and 0.1 percent of U.S. imports of coffee over all. Major sources of coffee include Colombia, Brazil, Vietnam, and Guatemala, which accounted for 21.0 percent, 16.8 percent, 7.1 percent, and 5.8 percent, respectively, of U.S. imports by value in 2018.

3. Cocoa and Haiti

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. Due to the specific growing conditions necessary, the United States lacks the ability to grow cocoa to satisfy domestic demand. Accordingly, U.S. firms are dependent upon imported cocoa beans. To date, only Hawaii and Puerto Rico are able to grow cocoa and only in minimal amounts. From CBERA countries, Haiti is the largest source of U.S. imports of cocoa beans, accounting for 37.2 percent of U.S. imports from the CBERA beneficiaries in 2018 by value and 0.3 percent of U.S. imports of cocoa over all. Major sources of cocoa include Cote d'Ivoire, Ecuador, Ghana, and the Dominican Republic (a former CBERA beneficiary country), which accounted for 63.3 percent, 12.8 percent, 12.0 percent and 4.9 percent, respectively, of U.S. imports by value in 2018.

4. 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 U.S. imports large volumes of rum (HS 2208.40), with total imports of \$139.1 million in 2018. Caribbean nations are the primary sources of total U.S. rum imports, led by Barbados (\$19.8 million), and Jamaica (\$17.2 million). U.S. rum imports are further classified by container size and value per proof liter. U.S. rum imports are dominated by higher value rum on a per proof liter basis.

The majority of rum imported by the United States, worth \$113.1 million and accounting for 81 percent of total U.S. rum imports in 2018, is valued at more than \$3 per proof liter and in containers of 4 liters or less.¹⁸ Barbados and Jamaica are the second and third largest suppliers of this rum import category, respectively accounting for \$14.1 million (13 percent) and \$12.5 million (11 percent) in 2018.

The second largest category of U.S. rum imports, worth \$15.4 million and accounting for 11 percent of total U.S. rum imports in 2018, is in larger containers (over 4 liters) valued at more than 69 cents per proof liter.¹⁹ Within this category, the leading suppliers - Guyana and Jamaica - each supplied \$3 million of imports (19 percent each) and Barbados supplied \$1.8 million (12 percent) of U.S. imports in 2018.

While the remaining two categories of U.S. rum imports, both of which represent lower value rum on a per proof liter basis, account for a smaller overall share of total U.S. rum imports, Caribbean

¹⁸ HTSUS 2208.40.4000, Rum And Tafia, In Containers Each Holding Not Over 4 Liters, Valued Over \$3 Per Proof Liter.

¹⁹ HTSUS 2208.40.8000, Rum And Tafia, In Containers Each Holding Over 4 Liters Valued Over \$0.69 Per Proof Liter

suppliers are important suppliers in these categories as well. For example, in 2018, Barbados accounted for 84 percent (\$3.2 million) of total (\$3.8 million) U.S. imports of rum in containers of more than 4 Liters and valued at 69 cents less per proof liter.²⁰ Jamaica and Barbados together accounted for \$2.5 million (36 percent) of total (\$6.8 million) U.S. imports of rum in containers holding 4 liters of less and valued at \$3 or less per proof liter in 2018.²¹

²⁰ HTSUS 2208.40.6000, Rum And Tafia, In Containers Each Holding Over 4 Liters Valued Not Over \$0.69 Per Proof Liter

²¹ HTSUS 2208402000, Rum And Tafia, In Containers Each Holding Not Over 4 Liters, Valued Not Over \$3 Per Proof Liter

IV. Eligibility Criteria

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

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

- “mandatory” factors defined in Title II, Section 212 of CBERA as precluding the President from initially designating a country or dependent territory as a CBERA beneficiary;²²
- additional, discretionary factors also defined in Title II, Section 212 of CBERA, which the President is required to take into account in determining whether to designate countries or dependent territories as beneficiaries under the CBERA²³; 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.²⁴

CBERA “Mandatory” Criteria

Communist Country:

A country cannot be designated as a CBERA beneficiary country “if such country is a Communist country.”²⁵ 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.²⁶ 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.

²² Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b), 97 Stat. 385 (1983).

²³ Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c), 97 Stat. 386 (1983).

²⁴ Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § Sec 211(b)(5)(B), 114 Stat. 284 (2000).

²⁵ Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(1), 97 Stat. 385 (1983).

²⁶ 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.²⁷ 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.²⁸

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, St. Vincent and the Grenadines, Saint Kitts and Nevis, Suriname, and Trinidad and Tobago (the CARIFORUM countries). Guyana and Haiti joined the agreement in 2008 and 2009 respectively.

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 that allow the broadcast of copyrighted material, including films or television material belonging to United States copyright owners without their express consent.²⁹ A pervasive problem throughout much of the Caribbean Basin is the unlicensed and unremunerated interception and retransmission of U.S. broadcast and cable programming by local cable operators, which are in some cases government-run. 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.²²

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

²⁷ Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(3), 97 Stat. 386 (1983).

²⁸ Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(4), 97 Stat. 386 (1983).

²⁹ Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(b)(5), 97 Stat. 386 (1983).

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

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

authorized to consider whether a country has taken or is taking steps to afford workers internationally recognized worker rights.²³ These factors were modified and broadened in the context of country designation criteria under the CBTPA (see below).

CBERA “Discretionary” Factors

Desire to Be Designated:

The CBERA authorizes the President, in designating beneficiary countries, to take into account an expression of a country’s desire to be so designated.³⁰

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.²⁵ The United States maintains a strong interest in conditions of economic development in the Caribbean and Central American countries. The country reports contained in this chapter briefly review current conditions in CBI beneficiary countries.

Market Access/WTO Rules:

The CBERA authorizes the President to consider the extent to which a country has assured the United States that it will provide equitable and reasonable access to the markets and basic commodity resources of the country and the degree to which the country follows the international trade rules of the WTO.³¹ The eligibility criteria of the CBTPA elaborate on these factors, with a focus on implementation of WTO commitments and participation in negotiations to create a Free Trade Area of the Americas. These factors are examined in the country reports which follow.

Use of Export Subsidies:

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.”³² This is examined in the country reports which follow.

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.³³ Countries in the Caribbean Basin have continued, for the most part, to implement policies that have advanced regional economic development and growth. With few exceptions, countries have continued to reform their economies and liberalize trade and investment regimes.

³⁰ Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(1), 97 Stat. 386 (1983).

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

³¹ Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(3)-(4), 97 Stat. 386-87 (1983).

³² Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(5), 97 Stat. 387 (1983).

³³ Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(6), 97 Stat. 387 (1983).

Self-Help Measures:

The CBERA’s eligibility criteria requires countries in the region to take steps to advance their own economic development.³⁴ 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”³⁵ 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.³⁶ 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.³⁷ 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;³⁸
- the extent to which the country provides protection of intellectual property rights consistent with or greater than the protection afforded under the TRIPS Agreement;³⁹
- the extent to which the country provides internationally recognized worker rights, including:
 - the right of association;

³⁴ Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(7), 97 Stat. 387 (1983).

³⁵ Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(9)-(10), 97 Stat. 387 (1983).

³⁶ Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(9)-(10), 97 Stat. 387 (1983).

³⁷ Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, § 212(c)(11), 97 Stat. 387 (1983).

³⁸ Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § Sec 211(b)(5)(B)(i), 114 Stat. 284 (2000).

³⁹ Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(ii), 114 Stat. 284 (2000).

- 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;³⁴
- whether the country has implemented its commitments⁴⁰ to eliminate the worst forms of child labor;⁴¹
 - the extent to which the country has met U.S. counter-narcotics certification criteria³⁷ under the Foreign Assistance Act of 1961;⁴²
 - the extent to which the country has taken steps to become a party to and implement the Inter-American Convention against Corruption (IACAC);⁴³ 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.⁴⁴

⁴⁰ These commitments are defined in 29 U.S.C. § 2467(6).

⁴¹ Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(iv)-(iv), 114 Stat. 285 (2000).

⁴² 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.

⁴³ Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(vi), 114 Stat. 285 (2000).

⁴⁴ Caribbean Basin Trade Partnership Act, Pub. L. No. 106-200, § 211(b)(5)(B)(vi), 114 Stat. 285 (2000).

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 CBTPA is the most recent expression by Congress of U.S. policy objectives linked to the extension of CBI benefits.⁴⁵ 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.

Unless otherwise noted, population, gross domestic product (GDP), and per capita GDP figures are drawn from The World Bank DataBank. Trade data are cited in U.S. dollars (customs basis) and are compiled from official statistics of the U.S. Department of Commerce.

Antigua and Barbuda

Economic Review: The United States consistently maintains a large trade surplus with Antigua and Barbuda, which can largely be attributed to fuel oil and petroleum product exports from the United States. Antigua and Barbuda is one of the more developed countries in the Eastern Caribbean, with a higher GDP and per capita GDP than many other small island nations. The country has experienced robust growth since 2014. During the reporting period, the economy of Antigua and Barbuda benefited from low oil prices, increased tourist arrivals, and revenue from the Citizenship by Investment Program.

Indicator	Latest Data
Population*	96,286 (2018)
GDP*	\$1,623,804,016 (2018)
GDP per capita*	\$16,864.40 (2018)
U.S. Exports**	\$513,062,889 (2018)
U.S. Imports**	\$4,773,719 (2018)
Trade Balance**	\$508,289,170 (2018)

Source: The World Bank*; Department of Commerce 2018**

Through the Antigua and Barbuda Investment Authority, the government facilitated and supported FDI in the country and maintained an open dialogue with existing and potential investors. While the government welcomed all FDI interests, it identified agriculture, diversified tourism, healthcare services, outsourcing and business support services, information and communication technologies, and international financial services as top investment areas. Antigua and Barbuda is a member of the Organization of Eastern Caribbean States (OECS).

On September 5, 2017 Hurricane Irma decimated the smaller, sister island of Barbuda, home to around 1,800 individuals. Antigua was largely unaffected and hosts nearly the entire population of Barbuda while the island continues to rebuild. A World Bank assessment indicated the damage equals USD \$175 million.

⁴⁵ Criteria for some beneficiary countries are not addressed due to insufficient information.

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Antigua and Barbuda has been a WTO member since 1995 and generally demonstrates a commitment to fulfill its WTO obligations on schedule. As a signatory to the WTO Agreement on the Technical Barriers to Trade, Antigua and Barbuda, through the Antigua and Barbuda Bureau of Standards, is obligated to harmonize national standards to international norms to avoid creating technical barriers to trade. Antigua and Barbuda claims to be hindered by a lack of government resources and technical expertise. Antigua and Barbuda ratified the WTO Trade Facilitation Agreement (TFA) in 2017. Ratification of the Agreement is an important signal to investors of the country's commitment to improving its customs climate for trade. Antigua and Barbuda has already implemented a number of TFA requirements. Antigua and Barbuda still has to complete the Art 10.6.2 requirement on notifying information about the use of customs brokers. Additionally, Antigua and Barbuda must notify its Customs Valuation legislation, per its commitments under the WTO Agreement on Customs Valuation.

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.

Reverse Preferences: Antigua and Barbuda does 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 EPA between the European Community and CARICOM Member States. While there are preferential trade policies enshrined within this agreement, they are not afforded to the products of a developed country.

Protection of Intellectual Property: Antigua and Barbuda has an extensive legislative framework that supports the protection of intellectual property rights, but enforcement of intellectual property rights protection is inconsistent. Antigua and Barbuda 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. Despite being a signatory to the Paris Convention, Berne Convention, and numerous intellectual property rights protocols, Antigua and Barbuda has sought authorization to retaliate against the United States on intellectual property rights in connection with a WTO Appellate Body ruling with which the United States is in strong disagreement.

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

Provision of Internationally Recognized Worker Rights: Antigua and Barbuda has adopted various laws regarding worker rights, including ratifying all eight of the ILO core labor conventions. Workers have the right to associate freely and form labor unions. The law provides for the right of public and private sector workers to organize and bargain collectively without interference. 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 minimum wage is EC\$8.20 (approximately \$3.04) an hour for all categories of labor. The law provides that workers

not be required to work more than a 48-hour, six-day workweek, and provides for 12 paid annual holidays. The law requires that employees be paid one and one-half times the employees' basic wage per hour for overtime work. The Ministry of Labor put few limitations on overtime, allowing it in temporary or occasional cases, but did not allow employers to make regular overtime compulsory. The law prohibits all forms of forced or compulsory labor and the Government of Antigua and Barbuda states it has effectively enforced the law. The labor code gives the labor inspectorate the authority to enter residences to investigate allegations of forced or compulsory labor.

Antiguan law establishes the minimum working age at 16, which corresponds with the provision of the Education Act.

While there are no specific health and safety regulations, the Labor Code provides general health and safety guidance to Labor Ministry inspectors. The Labor Commission settles disputes over labor abuses, health, and safety conditions. The law gives the Labor Ministry the authority to require special safety measures, not otherwise defined in the law, to be put into place for worker safety.

Commitments to Eliminate the Worst Forms of Child Labor: Antigua and Barbuda practices a no-tolerance policy relating to child labor in accordance with its Constitution of 1981 and conventions of the ILO. Laws contain definitions that collectively constitute the worst forms of child labor, but specific details are not provided in any single statute. Antiguan and Barbudan law stipulates a minimum working age of 16 years although work prohibitions do not apply to family businesses. 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. The Ministry of Labor is required by law to conduct periodic inspections of workplaces and effectively enforces child labor laws. The Labor Commissioner's office also has an inspectorate that investigates exploitative child labor matters.

Transparency in Government Procurement: Antigua and Barbuda is not a signatory of the WTO Agreement on Government Procurement. Antigua and Barbuda continues the general practice of maintaining open and transparent government procurement 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 makes provisions for the use of standard bidding documents and standard operating procedures within the Caribbean community.

Arbitral Awards: During the reporting period, the United States is unaware of any cases where Antigua and Barbuda failed to act in good faith in recognizing arbitral awards in favor of U.S. citizens.

Nationalization/Expropriation: The United States has raised concerns about expropriation by the Antiguan government. In 1971, U.S. holding company HMB Holdings Limited (HMB) purchased

a hotel property named Half Moon Bay in Antigua. In 1995, Hurricane Luis struck Antigua, causing widespread damage and closing the hotel. In 1999, the Government of Antigua moved to acquire the property compulsorily in order to resume hotel operations. While the government sold the property in 2015 to a different private owner, the Government of Antigua and Barbuda still owes accumulated interest on the property. The government of Antigua and Barbuda has paid the former property owner a total of \$39.8 million in compensation; yet the former owner still seeks an additional \$20 million in interest payments. In March 2019, a judge dismissed a case bought by the former property owners against the government for payment of the outstanding balance. However, the owners intend to appeal. The United States government continues to monitor this situation.

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. Antigua and Barbuda has also joined the Mechanism for Follow-Up on the Implementation of the Inter-American Convention against Corruption guided by the IACAC. This inter-governmental body institutes a process of cooperation, reciprocal evaluation, and recommendations in respect to areas in which there are legal gaps or in which further progress is necessary among member states.

Antigua and Barbuda law provides criminal penalties for corruption by officials, and the government generally implements these penalties if corruption is proven. Antigua and Barbuda passed three sets of legislation related to corruption. This legislation was designed to reduce corruption and encourage good governance, as well as provide for criminal penalties for official corruption. The Integrity in Public Life Act of 2004 requires public officials to disclose all income, assets (including those of spouses and children), and personal gifts received while in public office. The law established an independent Integrity Commission to receive and investigate complaints regarding noncompliance with the IACAC and Prevention of Corruption Act. The Freedom of Information Act gives citizens the statutory right to access official documents from public authorities and agencies, and it established a commissioner to oversee the process. In practice, citizens have found it difficult to obtain documents, possibly due to government funding constraints rather than obstruction.

Counter-narcotics Cooperation: The President has not identified Antigua and Barbuda as a major drug transit or major illicit drug producing country under the provisions of the Foreign Relations Authorization Act. The United States enjoys strong operational cooperation with Antigua and Barbuda on drug control matters. The United States maintains bilateral agreements to suppress illicit traffic by sea with Antigua and Barbuda.

However, as a substantial offshore center with a large financial sector compared to other countries in the Eastern Caribbean, Antigua and Barbuda continues to be vulnerable to money laundering and other financial crimes, and drug trafficking appears to be increasing. The State Department's 2019 International Narcotics Control Strategy Report on the Eastern Caribbean identified Antigua and Barbuda as a major money laundering country. To combat narcotics trafficking and money

laundering, the Antiguan Office of National Drug Control and Money Laundering Policy (ONDCP) requires the reporting of financial intelligence and investigation, Anti-Money Laundering/Combatting Terrorism Financing (AML/CFT) compliance, anti-drug strategy, and counter-narcotics operations. The ONDCP cooperated with U.S. law enforcement agencies to combat narcotics trafficking. The Royal Police Force of Antigua and Barbuda is responsible for investigating drug trafficking, money laundering, terrorist financing, and other financial crimes.

Antigua and Barbuda has ratified the Inter-American Convention on Mutual Assistance in Criminal Matters.

Export Subsidies: 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 the review by the Ministry of Legal Affairs. Antigua and Barbuda does not mandate employment of its citizens by foreign investors. However, the provisions of the Labor Code outline requirements for acquiring a work permit and prohibit anyone who is not a citizen of Antigua and Barbuda (or the OECS) to work without a work permit. As a WTO member, Antigua and Barbuda is party to the Agreement to the Trade Related Investment Measures. There are no requirements for participation either by nationals or by the government in foreign investment projects. There is no requirement that enterprises must purchase a fixed percentage of goods or technology from local sources, but the government encourages local sourcing.

Self-Help Measures: 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. Diversification of the economy remains a priority.

Contribution to Regional Revitalization: Antigua and Barbuda encourages investments that will create jobs and increase exports and foreign exchange earnings.

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

Aruba

Economic Review: The United States has consistently maintained a robust trade surplus with Aruba, despite fluctuations in the volume of trade during the reporting period. Aruba's economy returned to growth in 2017 after two years of contraction, due in large part to the economic and political situation in Venezuela. Because of its small scale, minimal manufacturing and the absence of commercially exploitable mineral resources, Aruba is heavily dependent on imports, and therefore engages in foreign trade on a large scale. Aruba's sea and airport facilities serve as important regional distribution hubs. While Aruba is a small, open economy with one of the highest standards of living in the Caribbean, GDP growth has been sluggish for the past fifteen years. The lack of growth is largely explained by a lack of diversification of the economy.

Indicator	Latest Data
Population*	105,845 (2018)
GDP*	\$2,700,558,659 (2017)
GDP per capita*	\$25,630 (2017)
U.S. Exports**	\$602,147,195
U.S. Imports**	\$31,064,694
Trade Balance**	\$571,082,501

Source: The World Bank*; Department of Commerce 2018**

Tourism accounts for 86.5 percent of Aruba's GDP and 87 percent of employment (42,000 jobs), making Aruba the third-most tourism dependent country in the world. Over 1 million tourists per year visit Aruba, with a large majority of those from the United States. Tourism is the only sector experiencing growth, with cruise tourism leading. Stay-over tourism from the United States is increasing more than ten percent year over year. Despite some positive signs for tourism, the Aruban government is depending on a restart of an idled former Valero refinery to provide both increased non-tourism employment and much needed tax revenue to help alleviate its budget deficit. Such heavy reliance on external economic conditions contributes to some of the highest economic growth volatility in the region.

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Aruba is a member of the WTO through the Kingdom of the Netherlands, but does not exercise independent voting rights at the WTO. At the end of 1998, Aruba completed informal accession discussions with the United States and Canada but did not follow through the WTO accession process under Article XII. Aruba is a member of the WTO Agreement on Government Procurement (GPA). All products from any country that comply with import regulations and health standards are allowed for import. This policy is non-discriminatory and has existed for decades. There are no targeted barriers to U.S. goods.

Market Access/WTO Rules: Aruba's long-standing customs duties on all imports are high.

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 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.

Intellectual Property/Broadcast Copyright Violations: The United States is not aware of IP/broadcast copyright violations occurring in Aruba. 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's laws contain comprehensive protections for worker rights. Employees are free to associate with workers' organizations and trade unions. The law regarding the right of association is in compliance with ILO Convention 87 and Articles 5 and 6 of the European Social Charter. 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. Statutory minimum wages are in force for workers above the age of 18. As of May 1, 2019 the minimum wage is U.S. \$984.63 per month or U.S. \$229.65 per week. On behalf of Aruba, the Kingdom of Netherlands ratified the ILO Convention concerning Minimum Age for Admission to Employment in 1986. In accordance with the Convention, the minimum working age in Aruba is 15 years old.

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

Commitments to Eliminate the Worst Forms of Child Labor: The Kingdom of the Netherlands is responsible for safeguarding fundamental human rights and freedoms in its territories, including in Aruba. Child labor is prohibited. 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: Aruba is a signatory to the WTO Agreement on Government Procurement (GPA).

Arbitral Awards: There is no known case where Aruba failed to act in good faith in recognizing arbitral awards in favor of U.S. citizens. 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 Aruban government has not nationalized property of any kind. It does not expropriate property, except to resolve debts.

Extradition: The 1980 extradition treaty between the United States and the Kingdom of the Netherlands covers Aruba.

Implementation of the Inter-American Convention against Corruption (IACAC): While Aruba is not a signatory of the IACAC (responsibility for international agreements is legally held by the Kingdom of the Netherlands), Aruba pursues an active anticorruption policy in coordination with the Kingdom of the Netherlands. Aruban laws provide criminal penalties for official corruption, but there are no laws requiring financial disclosure and each government agency has its own regulations to avoid conflicts of interest. In recent years, there have been isolated reports of government corruption. Aruba is currently creating the position of Ombudsman.

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

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

Self-Help Measures: Aruba is taking steps to advance its own economic development. The Government of Aruba has a six-point plan to diversify the economy including in new niche tourism markets, innovation, agriculture, a new airport, logistics, and the creative arts. Aruba promotes entrepreneurship and small business activity by means of conferences and specific workshops geared towards increasing business knowledge and business tools. Additionally, the government recently ended its agreement with Venezuelan-owned Citgo to restart its refinery and is actively searching for non-Venezuelan partners with whom to establish a new agreement.

Contribution to Regional Revitalization: Aruba's open trade policies stimulate trade within and outside the region.

Cooperation in Administration of the CBERA: Aruba's Department of Economic Affairs regularly promotes CBERA to the business community.

The Bahamas

Economic Review: In September 2019, Hurricane Dorian hit The Bahamas and significantly affected tourism, which is a substantial portion of the country's economy. The country is currently focused on recovering from the hurricane's effects on its \$4.3 billion tourism industry and assessing the long-term impacts.

Indicator	Latest Data
Population*	386,640 (2018)
GDP*	\$12,162,100,000 (2017)
GDP per capita*	\$31,857.90 (2017)
U.S. Exports**	\$3,002,299,154
U.S. Imports**	\$445,143,708
Trade Balance**	\$2,557,155,446
Source: The World Bank*; Department of Commerce 2018**	

The United States trade balance with the Bahamas grew since 2016, primarily driven by a billion dollar increase in U.S. exports. Both GDP and Per Capita GDP have grown since 2016. Additionally, Per Capita GDP has demonstrated growth of 7.1% since 2012. On December 14, 2017, Standard & Poor's determined that the economic outlook for The Bahamas "remains stable." Projections from other organizations, including the International Monetary Fund ("IMF"), are optimistic projecting 2.5% growth in 2018 and 2.1% in 2019.

The Bahamas is an import- and services-based economy. Tourism and tourism-related construction accounts for approximately 65 percent of the country's GDP. Tourism grew at a year-over-year average of 11 percent in 2018 and the first quarter of 2019 before Hurricane Dorian.

The Bahamas did not offer export subsidies, utilize trade distorting export performance, or maintain a local content requirement. The Bahamas does prohibit foreign investment in twelve designated areas of the economy.

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: The Bahamas has been in the WTO accession process since 2001 but has not progressed far, probably due to apprehension among domestic stakeholders that trade liberalization will not benefit their interests. The Bahamas did not initiate work on its accession until 2009 and pulled back from the process in 2012, the start of a six-year dormancy in Geneva. Nonetheless, The Bahamas took some steps forward during that period, introducing omnibus legislation in 2013 to address some deficiencies in its trade regime, and opening a permanent mission in Geneva in 2015, in part to assist with WTO accession. Nassau reengaged in the accession process in 2018 and the first part of 2019. However, by the summer of 2019, Nassau appeared focused on a vigorous domestic debate about the benefits of WTO accession and of opening all sectors of the economy to foreign trade. The United States is closely monitoring these developments. In 2008, The Bahamas signed its first negotiated reciprocal trade agreement, the Economic Partnership Agreement (EPA) between CARIFORUM and the European Community, and in June 2013 created an implementation unit within the Ministry of Trade.

Market Access/WTO Rules: With the exception of the previously discussed 12 protected sectors, the government provides equitable and reasonable access for U.S. goods and services to its market. The United States enjoys a favorable trade balance with The Bahamas.

Reverse preferences: The Bahamas does 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 EPA between the European Community and CARICOM Member States. While there are preferential trade policies enshrined within this agreement, they are not afforded to the products of a developed country.

Protection of Intellectual Property: In 2015, The Bahamas passed legislation to establish a new and more extensive intellectual property rights framework.

Provision of Internationally Recognized Workers Rights: The Bahamas has taken multiple steps to ensure recognition of workers' rights. First, the Bahamas is a party to ILO conventions related to the rights of association, collective bargaining, and the prohibition on the use of compulsory and child labor. Second, The Bahamian Fair Labor Standards Act (FLSA) requires at least one 24-hour rest period per week, paid annual vacations, and overtime pay (time-and-a-half) for hours in excess of 40 hours or on public holidays. Third, a 1988 law provides for maternity leave and the right to re-employment after childbirth. Fourth, a Minimum Labor Standards Act including the Employment Act, Health and Safety at Work Act, Industrial Tribunal and Trade Disputes Act, and the Trade Union and Labor Relations Act was passed in 2001 and 2002. Fifth, the Minimum Wage Act, effective August 15, 2015, increased the minimum wage from B\$4.00 to B\$5.25 per hour. The United States is not aware of any violations regarding internationally recognized workers' rights.

The Bahamas has in place satisfactory child labor laws and penalties to deter possible violations. Bahamian law prohibits children under the age of 14 from being employed in industrial work or work during school hours. Children between ages of 14 and 18 may work outside of school hours under specific conditions. Violation of child labor laws are subject to penalties of B\$1000 to B\$1500.

Commitments to Eliminate the Worst Forms of Child Labor: Some children in The Bahamas have become victims of child labor, particularly among the undocumented migrant communities. During the reporting period, The Bahamas have made steps to address these incidents. The Ministry of Labor and National Insurance investigated and addressed allegations of abuse of child labor. Labor officers are periodically sent to food stores and other work places to ensure that children are not being abused and that the laws governing child labor are not being violated. A number of civic organizations and churches offer programs to provide meaningful activities to protect children from abusive labor situations. However, these programs are somewhat limited.

Transparency in Government Procurement: The Bahamas are not a signatory of the WTO Agreement on Government Procurement. The Transparency International's Corruption Perception Index gave The Bahamas a score of 65 out of a 100 in their 2018 report, where zero indicates a country is highly corrupt and 100 means the country is not corrupt. This is an improvement, as the country struggled with increases in perception of corruption between 2014

and 2016. During the reporting period, the government launched multiple criminal investigations and forensic audits of government institutions and brought charges against two former government ministers and the chair of a public corporation.

Nationalization/Expropriation: There were no reports of the government nationalizing or expropriating the property of U.S. citizens. Property rights are protected under the Bahamian Constitution and prohibit the deprivation of property without prompt and adequate compensation.

Extradition: 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 signed the IACAC in 1998, ratified in 2000, and has been a party to the mechanism for follow-up on the implementation on the IACAC since 2001. The government has anti-corruption and anti-bribery laws in place. In 2017, the government began investigating allegations of past acts of corruption and launched multiple criminal investigations and forensic audits of government institutions with several public corruption cases expecting a ruling in early 2020.

Counter-narcotics Cooperation: The Bahamas is a party to the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. It has cooperated extensively with the United States on counter-narcotics and law enforcement issues and continues to meet certification criteria under the Foreign Assistance Act of 1961.

The Bahamas participated in Operation Bahamas, Turks and Caicos (OPBAT) to stop the flow of illegal drugs through its territory. OPBAT operations in The Bahamas employed DEA, U.S. Coast Guard and Customs and Border Protection helicopters in conjunction with local law enforcement to intercept shipments of cocaine and conduct investigations into possible shipment efforts. The Bahamas partnered with the other nations of the Caribbean and the United States under the auspices of the Caribbean Basin Security Initiative (CBSI), a multi-year U.S. assistance program that focuses on supporting citizen safety programs and regional security institutions.

Export Subsidies: The United States is not aware of any export subsidies, trade-distorting practices, or local content requirements.

Self-Help Measures: A Small Business Development Center (“SBDC”) was established by the government to encourage the growth of small and medium-sized enterprises (“SMEs”). In addition, the Government established an Economic Advisory Council in July 2017 to review and advise the government on the long-term economic strategy of the country.

Contribution to Regional Revitalization: There was limited trade between The Bahamas and other CBI beneficiary countries. However, CBI remained important for The Bahamas as its most significant export, polystyrene pellets, received preferential access under the program.

Cooperation with the United States in the administration of CBERA: The Bahamas government and private sector have cooperated in the administration of CBERA.

Barbados

Economic Review: Barbados' economy historically has been one of the more resilient in the region. An October 2017 review by the Central Bank of Barbados estimated that the economy would grow between 1.0 percent and 1.5 percent in 2017. However, the country struggled with balance of payments concerns, consecutive international rating downgrades and slow economic performance. The economy continued to benefit from lower fuel prices, increased tourist arrivals, and increased exports. Barbados encouraged investment in international financial services, tourism, information technology, agro-processing, health, education, hydroponics, and alternative and renewable energy.

Indicator	Latest Data
Population*	286,641 (2018)
GDP*	\$4,673,500,000 (2017)
GDP per capita*	\$16,327.60 (2017)
U.S. Exports**	\$596,711,165
U.S. Imports**	\$55,126,768
Trade Balance**	\$541,584,397

Source: The World Bank*; Department of Commerce 2018**

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Barbados joined the WTO in 1995. It has generally demonstrated a commitment to fulfill its WTO obligations on schedule. Barbados ratified the WTO Trade Facilitation Agreement (TFA) in 2018, signaling to investors the country's commitment to improving the customs environment for trade.

Reverse Preferences: Barbados does 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 EPA between the European Community and CARICOM Member States. While there are preferential trade policies enshrined within this agreement, they are not afforded to the products of a developed country.

Protection of Intellectual Property: Barbados remained on the Watch List in the 2019 USTR Special 301 report. The Report noted that while Barbados' established a basic legal framework for IP, the United States was concerned over the interception and retransmission of U.S. cable programming without the consent and compensation of U.S. right holders. The United States was also concerned about the country's slow legal system, weak enforcement, and lack of reform. Although Barbados has the basic legislative framework governing intellectual property, enforcement needs improvement. The United States remains vigilant with respect to these concerns and will continue to press Barbados to improve enforcement mechanisms consistent with program eligibility criteria.

Provision of Internationally Recognized Worker Rights: Barbados has ratified all eight of the ILO core labor conventions, among a total of 36 ILO Conventions ratified by the country. In Barbados, the law provides for the right of workers to form and join unions and conduct legal strikes but does not specifically recognize the right to bargain collectively. Under Barbados' Trade Union Act, companies are not obligated to recognize unions or to accept collective bargaining. Most companies have recognized the right to bargain collectively when a significant percentage of their employees expressed a desire to be represented by a registered union.

Although some companies were sometimes hesitant to engage in collective bargaining with a recognized union, in most instances they would eventually do so. Trade unions enjoy a strong voice in the labor and economic affairs of the country.

Barbados' Shop Keepers Act provides for minimum wage rates for specified categories of workers. The categories of workers with a formally regulated minimum wage are household domestic workers and shop assistants. The minimum wage for these employees is approximately \$3.13 per hour, which is only marginally sufficient to provide a decent standard of living for a worker and family. The Ministry of Labor has recommended that companies use this as the de facto minimum wage, and the prevailing wage on the island was higher than the legal minimum wage.

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

Commitments to Eliminate the Worst Forms of Child Labor: Barbados created the National Committee for Monitoring the Rights of the Child to protect the rights of children and to implement the UN Convention on the Rights of the Child. Barbados also supported and implemented various social programs that may help prevent child labor. The Barbados National Committee for Monitoring the Rights of the Child protects the rights of children and implements the UN Convention on the Rights of the Child. Ministry of Labor inspectors may take legal action against an employer who is found to have underage workers. To ensure compliance, the Labor Department has a cadre of inspectors to conduct spot investigations of enterprises and check records.

Transparency in Government Procurement: Barbados is not a signatory of the WTO Agreement on Government Procurement. In 2018, the Barbados government enacted the Public Procurement Act of 2018. The bill governs public procurement and promotes transparency, integrity, efficiency, value for money, and fair competition in public procurement. The government, through the Ministry of Finance's Special Tenders Committee, follows competitive bidding standards for most contracts and acquisitions. A General Tenders Committee (GTC) oversees the procurement process for goods and services above specified limits. With the exception of the procurement of drugs and pharmaceuticals, only the Barbadian Cabinet can approve the procurement of supplies or services outside the ambit of the General Tenders Committee. Additionally, Barbados is involved in regional efforts regarding procurement through the development of the Framework for Regional Integration of Public Procurement and the negotiation of the CARICOM Protocol on Public Procurement.

Nationalization/Expropriation: The United States is not aware of expropriation cases involving American citizens. The Barbados Constitution and the Companies Act (chap. 308) contain

provisions requiring the government to provide prompt payment at fair market value upon acquiring property for public use.

Implementation of the Inter-American Convention against Corruption (IACAC): Barbados has signed but not yet ratified the IACAC. National law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. In 2012, Barbados enacted the Prevention of Corruption Act, which includes standards of integrity in public life. Currently, the Integrity in Public Life Bill of 2018 remains pending in parliament. This bill 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.

Counter-narcotics Cooperation: The President has not identified Barbados as a major drug transit or illicit drug producing country under the Foreign Relations Authorization Act. The Royal Barbados Police Force (RBPF) has a Drug Squad whose priority mandate is to cooperate and share information and intelligence with regional and international counterparts. The Drug Squad is guided by the Barbados National Anti-Drug Plan, which outlines the country's policies, goals, strategies, and legislation to combat narcotics trafficking.

As a regional financial center, the country is susceptible to money laundering 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, primarily through the Caribbean Basin Security Initiative (CBSI). There is ongoing cooperation between the United States and Barbados on drug control matters and combatting illicit traffic by sea.

Belize

Economic Review: Belize is a small, open economy whose primary sectors are agriculture, tourism, and services. The country has the lowest population density in Central America, which impedes economies of scale. Given its limited domestic market, trade was particularly important to the economy, but poor infrastructure added to the cost of transportation to both domestic and international markets.

Indicator	Latest Data
Population*	380,071 (2018)
GDP*	\$1,925,000,000 (2018)
GDP per capita*	\$5,025.20 (2018)
U.S. Exports**	\$406,777,168
U.S. Imports**	\$226,498,291
Trade Balance**	\$180,278,877
Source: The World Bank*; Department of Commerce 2018**	

Belize's economy is vulnerable to internal and external shocks, including natural disasters - particularly hurricanes, agricultural and animal diseases, and invasive species, all of which impacted the agricultural and aquaculture industries in recent years. GDP growth in the country has been volatile. Following economic contraction in 2016, the recovery has slow but steady with GDP growth of 1.4 percent in 2017 and 3.1 percent in 2018.

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Belize has been a WTO Member since 1995 and completed a Trade Policy Review in 2017. Through its mission in Belgium, Belize is one of the few Caribbean countries with non-resident diplomatic representation to the WTO.

Market Access/WTO Rules: The United States is not aware of any cases in which U.S. exports have been adversely affected in seeking access to the Belizean market. Belize maintains its long-standing exchange rate pegged to the U.S. dollar.

Reverse Preferences: Belize does 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 EPA between the European Community and CARICOM Member States. While there are preferential trade policies enshrined within this agreement, they are not afforded to the products of a developed country.

Protection of Intellectual Property: Despite the establishment of intellectual property laws and an enforcement agency, illegally copied CDs and DVDs are widespread and marketed throughout the country. Belize acceded to six major intellectual property treaties in 2018 to enhance protection to copyright owners.

Provision of Internationally Recognized Worker Rights: Belize has ratified all eight of the ILO core labor conventions. The law generally provides for the right of association, the right to organize and bargain collectively, and the right to establish and join independent trade unions and conduct legal strikes. Belize's constitution prohibits all forms of forced or compulsory labor.

The 2013 anti-trafficking laws carry penalties for forced or compulsory labor of one to 12 years imprisonment. During the year, the government did not identify any forced labor victims.

The U.S. Department of State has, however, designated Belize as a Tier 3 country in the Trafficking in Persons (TIP) Report and noted forced labor of both Belizean and foreign women, particularly among the South Asian and Chinese communities. The United States is paying close attention to this issue in the context of CBI program eligibility.

The national minimum wage is BZ\$3.30 (approximately \$1.70) per hour across-the-board and is enforced by the Ministry of Labor. The minimum wage includes unskilled workers engaged in agriculture and the agricultural industry, manual workers, shop assistants, and domestic workers. The law sets the work week at no more than six days or 45 hours and requires payment for overtime work. The agricultural sector continues to use undocumented Central American workers during land preparation and harvesting. Belizean employers are obligated to take “reasonable care” for the safety of employees in the course of their employment, but Belize does not have overarching occupation and safety legislation. If the Belizean employers elect to provide lodging, they are required to provide and maintain sufficient and hygienic housing accommodations, access to clean water, and proper sanitary arrangements.

Commitments to Eliminate the Worst Forms of Child Labor: In 2018, Belize made minimal progress to eliminate the worst forms of child labor. Children in Belize performed dangerous tasks in agriculture and there are reports children engaged in the worst forms of child labor, including in commercial sexual exploitation.

Important gaps in the country’s legal framework remain. Belizean law does not conform with international standards in that it permits children at the age of twelve to work in what the country deems “light activities” with the permission of the country’s Labor Commissioner. The aforementioned Anti-Trafficking Law has provisions to eliminate the worst forms of child labor. However, budget and resource constraints impede effective enforcement. The United States will continue to engage with Belize to improve conditions.

In April 2018, the Government of Belize, along with Winrock International and funding from the U.S. Department of Labor, launched the Country Level Engagement and Assistance to reduce Child Labour (CLEAR II). The CLEAR II project had objectives of improving legislation pertaining to child labor, raising local and national child labor laws into compliance with international standards, and improving the monitoring and enforcement of laws and policies related to child labor. The project drafted and presented a training module for effective training in identifying, mitigating, and preventing child labor. At the project’s conclusion, recommendations were made to government for various legislative amendments to reduce child labor.

Transparency in Government Procurement: Belize is not a signatory of the WTO Agreement on Government Procurement. Belize has made attempts to address transparency in government procurement. The Finance and Audit (Reform) Act of 2005 provides standards to ensure regulation of public revenue, expenditure, and contracting. The government must submit purchases of over \$2.5 million to public bidding by both local and foreign companies. Despite

having legislative and regulatory measures, many businesses complained that both major political parties practiced partisanship bias that impacted who received licenses and won government contracts for procurement of goods and services, as well as who benefited from the granting of government land. Middle-class citizens and business owners throughout the country complained that government officials, including police, solicited bribes.

Nationalization/Expropriation: The United States is not aware of any new expropriation cases against U.S. citizens. The government either engaged in negotiated settlements or used a court-appointed Board of Assessments.

Extradition: Belize and the United States signed an extradition treaty in 2000 and exchanged instruments of ratification in 2001. The United States made several extradition attempts but there has not been a single successful case.

Implementation of the Inter-American Convention against Corruption (IACAC): Belize signed the IACAC in 2001 and ratified the Convention in 2002. Belize signed the UN Convention Against Corruption in December 2016 and worked closely with the UN to follow the detailed implementation protocol. Belize passed the Prevention of Corruption Act of 2007 and created offices meant to deal with official corruption. However, enforcement is weak to non-existent. Fewer than 25 percent of parliamentarians and public officials comply with the Act, with no repercussions. The Act gives the Belize Integrity Commission investigative responsibility to combat corruption. This Commission was reconstituted in January 2017.

Counter-narcotics Cooperation: 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 President identified Belize in 2017 as a major drug transit or major illicit drug producing country under the provision of the Foreign Assistance Act. However, Belize is not designated as having “failed demonstrably” to make substantial efforts during the prior 12 months to fulfill its obligations under international counter-narcotics agreements and conventions.

Through the provision of equipment, training, and technical assistance, including through the Central America Regional Security Initiative, the United States bolstered Belize’s efforts to disrupt and decrease the flow of narcotics, weapons, and illicit proceeds generated by sales of illegal drugs, and to confront gangs and criminal organizations. Numerous United States agencies, including the Drug Enforcement Administration (DEA), the International Narcotics and Law Enforcement (INL) and the Security Cooperation Office (SCO) are all actively engaged in improving law enforcement and military capacity nationwide. U.S. support included infrastructure upgrades, training, and the provision of equipment for the Belize Police Department and other Government of Belize departments involved in citizen security. The United States provided assistance to the Belize Defense Forces and Coast Guard, which also supported the counter-narcotics mission. As part of the Caribbean Assistance Regional Security Initiative, the United States refurbished boats and provided equipment and technical assistance to add police maritime capability. Efforts were made to improve law enforcement and military communications nationwide.

The Office of the Auditor General has participated in training programs with the U.S. Government Accountability Office (GAO) to support accountability and anti-corruption efforts. The U.S. treasury Department's Office of Technical Assistance, realizing the close association between corruption and money laundering, is providing advisory assistance to the Financial Intelligence Unit (FIU) from 2016-2019.

Export Subsidies: Belize manages several investment incentives, including the Fiscal Incentives Act, the Designated Processing Areas Act, and the Commercial Free Zone Act. The GOB enacted legislation in 2018 to make the Export Processing Zone program compliant with the WTO. Currently, legislative review of the Fiscal Incentives and the Commercial Free Zone programs are ongoing to comply with WTO commitments.

Self-Help Measures: The Government of Belize made efforts to diversify its exports and attract investment with particular attention to tourism, which remains its strongest growth sector. In the past couple of years, new cruise lines have launched destinations to Belize and several airlines have opened new routes to the country. In 2018, the country received numerous investments to increase hotel capacity. The agribusiness and light manufacturing sectors also expanded, though agriculture remains primarily commodity-driven with little value-added production. The Government of Belize hopes to expand the country's energy matrix by expanding into biomass, solar, and LPG energy sources.

Contribution to Regional Revitalization: As a member of the CARICOM Single Market and Economy, Belize applied the CARICOM common external tariff with several exceptions. Intra-CARICOM trade remained Belize's fourth largest export market.

British Virgin Islands

Economic Review: The United States maintains a large and consistent trade surplus with the British Virgin Islands, which increased sharply during the reporting period. Exports of civilian aircraft comprise the largest share of the surplus.

Indicator	Latest Data
Population*	35,802 (2018)
GDP*	\$500,000,000 (2017)
GDP per capita*	\$34,200 (2017)
U.S. Exports**	\$822,771,354 (2018)
U.S. Imports**	\$19,501,786 (2018)
Trade Balance**	\$803,269,568 (2018)
Source: The World Bank*; Department of Commerce 2018**	

The economy of the British Virgin Islands, which have traditionally been one of the more stable in the Caribbean, is markedly tied to tourism. Services, including tourism, comprise approximately 93 percent of GDP. The government generates substantial revenues in incorporation fees by offering offshore registration to companies wishing to incorporate in the islands.

The British Virgin Islands have a sophisticated and well-established financial sector that offers accounting, banking and legal services, captive insurance, company incorporations, mutual funds administration, trust formation, and shipping registration. As of 2019, the commercial banking sector had assets valued at approximately \$1.5 trillion.

Poor soils remained a challenge and limited the British Virgin Islands' ability to expand agricultural activity and meet the food requirements of the population.

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: 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 treat 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: Laws of the United Kingdom govern the protection of intellectual property in the British Virgin Islands.

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 expressed consent.

Provision of Internationally Recognized Worker Rights: Since October 1, 2016, the minimum wage has been \$6. The Ministry of Natural Resources and Labour manages and administers labor

matters in all sectors of the economy and regulates working conditions that protect the health, safety and welfare of workers. The Labour Commissioner's mission is to protect the rights and wages through the enforcement of the British Virgin Islands labor laws.

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

Commitments to Eliminate the Worst Forms of Child Labor: According to the Department of Labor's 2018 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, and the minimum age for recruitment by non-state armed groups does not meet international standards. In addition, the Government also has not yet determined the types of hazardous work prohibited for children beyond night work and the use of dangerous machinery. Further, the minimum age for work is below 17, the age up to which education is compulsory, and schoolchildren face challenges related to prohibitive school costs and violence in schools.

Transparency in Government Procurement: The British Virgin Islands are not a signatory of the WTO Agreement on Government Procurement (GPA). The law governing procurement is that of the United Kingdom, which is a Party to the GPA given its membership in the European Union. However, the GPA does not apply to procurement by the British Virgin Islands.

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. 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 are not a signatory to the IACAC, but as a British Overseas Territory, its international obligations derive from those of the United Kingdom.

Counter-narcotics Cooperation: The President has not identified the British Virgin Islands as a major drug transit or major illicit drug producing country for fiscal year 2020. In the 2019 INCSR, however, the U.S. Department of State identified the British Virgin Islands as a major money laundering country. According to the INCSR, the British Virgin Islands were a favored destination for registering shell companies cheaply and quickly. The British Virgin Islands were a major target for drug traffickers, who used the area as a gateway to the United States. The

British Virgin Islands authorities continued to work with regional and U.S. law enforcement agencies to reduce these threats.

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

Export Subsidies: The law of the British Virgin Islands does not provide for export subsidies. The British Virgin Islands does not mandate local employment.

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

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

Curaçao

Economic Review: The main pillars of Curaçao’s economy are offshore banking, oil refining, and tourism. Offshore banking and oil refining have recently suffered, while tourism has continued to grow. Curacao’s real GDP has been contracting since 2016 and has been stagnant for the past 15 years. A recent IMF report expresses a negative outlook for Curacao due to “red tape, weak governance, antiquated regulations, skills mismatches, and infrastructure bottlenecks,” unless the now-closed oil refinery restarts. More negative economic metrics include Curacao’s current balance turning to a deficit of 0.6% in 2017, gross public debt standing at above fifty percent of GDP, a large migration of young citizens to the Netherlands, and a dramatic influx of displaced Venezuelans. Curaçao had limited natural resources and limited manufacturing, requiring the country to import most goods.

Indicator	Latest Data
Population*	159, 849 (2018)
GDP*	\$3,116,610,111.70 (2017)
GDP per capita*	\$19,457.50 (2017)
U.S. Exports**	\$703,735,351 (2018)
U.S. Imports**	\$105,091,093 (2018)
Trade Balance**	\$598,644,258 (2018)
Source: The World Bank*; Department of Commerce 2018**	

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Curaçao is a member of the WTO through the membership of the Kingdom of the Netherlands. In November 2019, Curaçao submitted to the WTO General Council a request for accession to the WTO, pursuant to Article XII of the Marrakesh Agreement Establishing the WTO. Curaçao claimed that it is a separate customs territory possessing full autonomy in the conduct of its external commercial relations and in the other matters provided for in the WTO agreements. If Members agree to the request, a Working Party would be established to negotiate the terms of Curaçao’s accession.

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: In Curaçao, patents are protected in a central registry in the Netherlands. Authors and copyrights are protected by the Authors’ Decree of 1913. Trademarks are protected by the National Ordinance on Trademarks of 1995, the Trademark Decree of 1995, and regulated by the Bureau for Intellectual Property (BIP).

Provision of Internationally Recognized Worker Rights: The Curaçao Constitution and the Ordinance on Collective Labor Agreements allow workers to unionize and conduct strikes. Unions are allowed to conduct their activities without interference, and the law prohibits anti-union discrimination or retaliation against legal strikers. Enforcement is carried out by labor inspectors of the Ministry of Social Development, Labor, and Welfare.

The country has regulations regarding minimum wages, hours of work, and occupational safety and health in line with international standards. Employees may work a maximum of ten hours per day, and overtime is compensated by rates of 175 percent on a scheduled day off, 200 percent on a day of rest, and 250 percent on a holiday.

Commitments to Eliminate the Worst Forms of Child Labor: The Kingdom of the Netherlands is responsible for safeguarding fundamental human rights and freedoms in its territories, including in Curaçao. In 2017, Curaçao ratified ILO Convention 182. National laws and regulations prohibit work performed by children. The minimum age for employment on Curaçao is 15 years of age. Inspectors of the Ministry of Education, Sport, and Culture enforced laws and policies to protect children. No cases of child labor violations were registered with the Ministry. Children age 12 or older who have finished elementary school may work if doing so is necessary for learning a trade or profession, not physically or mentally taxing, and not dangerous. The government and a tripartite labor commission effectively enforced the minimum-age laws and conducted adequate inspections.

Transparency in Government Procurement: Curaçao is not a signatory of the WTO Agreement on Government Procurement. The Government of Curaçao applies international competitive bidding standards and guidelines.

Nationalization/Expropriation: The Government of Curaçao has not nationalized properties of any kind. The Government does not expropriate property, except to resolve debts.

Extradition: The 1980 extradition treaty between the United States and the Kingdom of the Netherlands also covers Curaçao.

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

Counter-narcotics Cooperation: Curaçao has not been identified by the President as a major drug transit or major illicit drug producing country under the provision of the Foreign Relations Authorization Act and is a partner in the U.S. counter-narcotics activities. The obligations of the Netherlands as a party to the UN Single Convention on Narcotic Drugs and the UN Convention against Transnational Organized Crime and its three Protocols apply to Curaçao.

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

Export Subsidies: Curaçao does not offer export subsidies, and the United States is not aware of any trade-distorting export performance or local content requirements.

Self-Help Measures: The Government of Curacao is using some of its financial tools to improve the business climate and increase exports. Curacao, alongside the other islands which made up the Netherlands Antilles prior to 2010, received financial supervision from the Kingdom Council of Ministers, which is comprised of the Dutch cabinet plus the Ministers Plenipotentiary of the three island countries.

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

Dominica

Economic Review: According to Eastern Caribbean Central Bank statistics, The Commonwealth of Dominica's GDP grew by about 2¼-3 percent each of the last 4 years. The economy was primarily dependent on agriculture but saw increases in tourism as the government promoted the country as an ecotourism destination. In its efforts to diversify the economy, the government also established an offshore medical education sector and an offshore financial industry. Though public debt levels remained high, they declined in recent years in part due to revenues from the Citizenship by Investment Program.

Indicator	Latest Data
Population*	71,625 (2018)
GDP*	\$503,646,211.1 (2018)
GDP per capita*	\$7,031.7 (2018)
U.S. Exports**	\$176,278,180 (2018)
U.S. Imports**	\$1,356,291 (2018)
Trade Balance**	\$174,930,989 (2018)
Source: The World Bank*; Department of Commerce 2018**	

Commitments to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Dominica, like the other OECS Members, generally demonstrates a commitment to fulfill its WTO obligations on schedule. Dominica became a WTO Member on January 1, 1995. The country ratified the WTO Trade Facilitation Agreement (TFA) in 2016 though a lack of government resources and technical expertise is hindering full implementation. Dominica committed to notifying its customs procedures and customs broker measures by Feb. 2017 but has not done so.

Market Access/WTO Rules: The government of 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.

Reverse Preferences: Dominica does not afford preferential treatment to the products of a developed country, other than the United States. Dominica is a member of CARIFORUM, and party to the EPA between the European Community and CARICOM Member States. While there are preferential trade policies enshrined within this agreement, they are not afforded to the products of a developed country.

Protection of Intellectual Property: Dominica moved toward harmonizing its intellectual property laws with the OECS. Dominica does not maintain statutory licensing regimes and stakeholders raised concerns that Dominica failed to intercede when unauthorized companies intercepted and retransmitted copyrighted content without remuneration.

Provision of Internationally Recognized Worker Rights: Dominica has adopted various laws regarding worker rights and has ratified all eight of the ILO core labor conventions. Dominica's constitution prohibits most forms of forced or compulsory labor. The government and private employers permit freedom of association and the right to collective bargain. The applicable laws and penalties to combat antiunion discrimination have proven successful with few disputes escalating to strikes or sickouts. Lastly, the Employment Safety Act provides occupational health

the safety regulations consistent with international standards. Employees are freely able to remove themselves from perilous work conditions without jeopardizing their employment.

Wages vary according to category of worker, with the lowest minimum wage set at approximately \$ 1.48, and the maximum at approximately \$2.04 per hour. The standard workweek is forty hours of work with the law providing for overtime pay for additional work hours. Most workers, including domestic employees, earned more than the minimum wage, as prevailing wages were much higher than statutory minimum wages.

Commitments to Eliminate the Worst Forms of Child Labor: The Department of Labor notes in its 2016 Findings on the Worst Forms of Child Labor report that Dominica needs to harmonize its child labor laws, as conflicting minimum ages in various laws and regulations—there are three different minimum ages for work—makes it difficult to enforce the laws. In 2016, Dominica continued to develop a list of hazardous occupations for children and harmonize legislation on the legal age for employment. There were no abuses reported.

The Department of Labor’s 2016 Findings on the Worst Forms of Child Labor finds evidence that children were engaged in the worst forms of child labor in sexual exploitation in Dominica. Due to exceptions to the minimum age for hazardous work, the Government was unable to effectively prevent children from engaging in exploitative work. The report also notes that Dominica does not explicitly prohibit the use of children in prostitution, pornography, or illicit activities such as drug trafficking.

Transparency in Government Procurement: Dominica is not a signatory of the WTO Agreement on Government Procurement (nor are any other OECS countries), but it maintains open and transparent government procurement policies. The United States is not aware of any non-competitive bidding procedures.

Implementation of the Inter-American Convention against Corruption (IACAC): Dominica ratified the IACAC in June 2004. Besides the implementation of IACAC, Dominica has shown an interest in combating corruption in two other examples. First, Dominica has two statutes- the Integrity in Public Office Act of 2003 and the Integrity in Public Office (Amendment) Act of 2015- in place to combat and provide criminal penalties for official corruption. Second, Dominica is party to the United States Convention against Corruption.

Counter-narcotics Cooperation: The President has not identified Dominica as a major drug transit or major illicit drug producing country under the provision of the Foreign Relations Authorization Act. Dominica participates in U.S. efforts to curtail drug trafficking and related crime and violence through the Caribbean Basin Security Initiative (“CBSI”). In addition, Dominica has ratified the Inter-American Convention on Mutual Assistance in Criminal Matters.

Self-Help Measures: The government of Dominica has prioritized FDI particularly in industries that create jobs, earn foreign currency, and have a positive impact on local citizens. Local enterprises welcome joint ventures with foreign investors in order to access capital, expertise, markets, and technology.

Grenada

Economic Review: The United States maintains a large and growing trade surplus vis-à-vis Grenada that comprises diverse product categories including food, electronics, and lumber. Overall, the value of Grenada’s exports to the rest of the world has remained flat since 2009, while the value of imports has grown since 2011. Grenada’s economy continues to evolve, and is poised to experience another year of growth fueled by expansion in construction, tourism, transport, private education, and manufacturing. Grenada remains the fastest growing economy in the region, averaging 5 percent annual real growth since 2013. Conservative projections for 2019 are estimated to be around 4.2 percent.

Indicator	Latest Data
Population*	111,454 (2018)
GDP*	\$1,207,454,556 (2018)
GDP per capita*	\$10,833.70 (2018)
U.S. Exports**	\$118,968,289 (2018)
U.S. Imports**	\$14,777,625 (2018)
Trade Balance**	\$104,190,664 (2018)

Source: The World Bank*; Department of Commerce 2018**

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Grenada became a WTO Member on February 22, 1996 and generally demonstrates a commitment to fulfill its WTO obligations on schedule. Grenada extends most favored nation treatment to all its trading partners. Grenada has made commitments under the WTO General Agreement on Trade in Services in telecommunications and courier services; reinsurance; hotels development; and entertainment and sporting services. Market access and national treatment in these subsectors are granted subject to compliance with relevant domestic legislation. Notifications have been submitted by Grenada to repeal the subsidies program, its import licensing regime, the absence of anti-dumping measures, the activities of its State Trading Enterprises, and technical regulations. The country ratified the WTO Trade Facilitation Agreement (TFA) in 2015, though a lack of government resources and technical expertise is hindering full implementation.

Market Access/WTO Rules: Grenada’s membership and adherence to its WTO obligations, 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: Grenada does 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 EPA between the European Community and CARICOM Member States. While there are preferential trade policies enshrined within this agreement, they are not afforded to the products of a developed country.

Grenada has bilateral agreements with several countries designed to encourage and promote trade. Grenada is a member of CARICOM, established by the Treaty of Chagaramus in 1973 to promote economic integration and development among its 15 member states. This treaty later established the CARICOM Single Market and Economy to provide for the free movement of

goods, services, capital and labor within member states. Grenada is also a member of CARIFORUM and party to the Economic Partnership Agreement (EPA) between the European Community and CARICOM Member States.

Protection of Intellectual Property: Administration of intellectual property laws in Grenada falls under the responsibility of the Ministry of Legal Affairs, and the registration of patents and trademarks is conducted at the Corporate Affairs and Intellectual Property Office, Ministry of Legal Affairs.

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.

Grenada operates a re-registration system of patent based on registration in the United Kingdom. The Registration of the United Kingdom Patents Act, Cap. 283 and Grenada's Patent Act No. 16 of 2011 govern Grenada's system for registering patents. In accordance with Section 2 of the Registration of United Kingdom Patents Act Cap 283, any patent holder in the United Kingdom may apply within three years from the date of issue of the patent to register it in Grenada.

Domestic laws regarding intellectual property protection have previously raised concerns under the TRIPs Agreement. Updates to existing legislation regarding intellectual property are currently being drafted and reviewed. The government of Grenada has implemented the Trademark Act No. 1 of 2012 and the Copyright Act of 2011. The Patent Act of 2011 has been enacted but the implementing regulations are currently under review. The geographic location bills have been drafted and are currently awaiting approval in parliament. The Industrial Design Bill is reportedly a priority for 2020.

Provision of Internationally Recognized Worker Rights: The laws of Grenada explicitly outline the rights of workers, including their right to join and form independent labor unions and participate in collective bargaining including strikes. Employers are expected to recognize a union that represents the majority of workers, but they are not obligated to recognize a minority union formed by only some employees. With regard to essential services, the Ministry of Labor may refer the disputes to compulsory arbitration. Essential services include employees of utility companies and public health and protection sectors, including sanitation, airport, seaport and dock services.

Article 25 of the Employment Act prohibits forced or compulsory labor. Further, the Government of Grenada enacted the Prevention of Trafficking Persons Bill 2014, which prohibits all forms of forced labor, including the sale or trafficking of children for exploitative labor. Article 32 of the Employment Act deals with the prohibition of child labor. It states that no person under the age of 16 years shall be employed or allowed to work in any public or private agricultural, industrial or non-industrial undertaking except for holiday job employment. Additionally, no person under the age of 16 years shall be employed or allowed to work on vessels. Part 7 of the Employment Act provides for the protection and regulation of wages, and article 52 specifically sets the minimum wage, which vary according to occupation. Employers are prohibited from requiring employees (except security guards or domestic workers), to work for more than eight hours on

any day, exclusive of lunch period without paying adequate compensation for overtime work. Occupational Safety and Health is provided for in the Accidents and Occupational Diseases (Notification) Act. The enforcement of regulations governing wages, hours of work, occupational health and safety and overall conditions of work is administered by labor officers within the Ministry of Labor.

Commitments to Eliminate the Worst Forms of Child Labor: Grenada has ratified all key international conventions concerning child labor, including: International Labor Organization (ILO) C. 138, Minimum Age; ILO C. 182, Worst Forms of Child Labor; UN Convention on the Rights of the Child (CRC); UN CRC Optional Protocol on Armed Conflict; UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; and the Palermo Protocol on Trafficking in Persons. Grenada also established laws and regulations related to child labor, including its worst forms. These laws and regulations address minimum age of work, prohibition of forced labor, prohibition of child trafficking, prohibition of commercial sexual exploitation of children, compulsory education age, and free public education. Although research in 2018 found no evidence that child labor exists in Grenada, no study of child labor has been done to confirm this. The government's ability to prevent children from becoming engaged in the worst forms of child labor is considered limited because existing laws do not comprehensively prohibit child trafficking and the commercial sexual exploitation of children. In addition, there are insufficient prohibitions against children's involvement in hazardous work and illicit activities, including the production and trafficking of drugs.

Transparency in Government Procurement: Grenada is not a signatory of the WTO Agreement on Government Procurement (nor are any of the other OECS Members), but it participated in the WTO/CARICOM Regional Workshop on Government Procurement for Caribbean Countries in 2016. Grenada maintains open and transparent government procurement policies. The United States is not aware of any non-competitive bidding procedures. The Central Procurement Unit within the Ministry of Finance is responsible for ensuring the transparent, nondiscriminatory and competitive execution of procurement procedures. It is also 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 conformance. 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 the responsibility to investigate claims of corruption with regard 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 ICSID, and has engaged this platform to resolve disputes. There is no known case where Grenada 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.

While the domestic laws of Grenada have adapted the provisions outlined in the New York Convention, the country has not yet ratified the Convention. Where there are disputes between a

foreign investor(s) and Grenadian parties; between Grenadian partners; or between the investors and the government of Grenada with respect to an enterprise, the disputants shall first seek to settle their differences through consultation or mediation to reach an amicable settlement. In the event that the parties fail to resolve the matter, they may then submit their dispute to arbitration; file a lawsuit in Grenadian courts; invoke the jurisdiction of the Caribbean Court of Justice; or adopt such other procedures as provided for in the Articles of Association of the investment enterprise.

Nationalization/Expropriation: There are concerns about an expropriation by the Grenada government. WRB Enterprises, a U.S. company, is a 50 percent shareholder in Grenada's sole electric power generation, transmission, and distribution system, Grenada Electricity Supply Services (GRENLEC). In 2016, the government of Grenada repealed the 1994 Electricity Supply Act which gave GRENLEC an 80-year exclusive license to generate, transmit, and distribute electricity to Grenada. The new legislation liberalizes the generation sector, allowing for the licensing of independent power producers, removing GRENLEC as the sole provider. WRB is party to a Share Purchase Agreement, which requires the government of Grenada to repurchase the GRENLEC shares upon the occurrence of any unilateral actions that cause serious operational impairments or economic injury to GRENLEC or its private sector investors. In 2017, the value of the shares was estimated at approximately \$65.42 million (176.65 million Eastern Caribbean dollars). In 2017, WRB filed a request for contract-based arbitration with the World Bank's International Centre for Settlement of Investment Disputes (ICSID) through its subsidiary, Grenada Private Power Limited, to enforce the Share Purchase Agreement. Arbitration proceedings are ongoing and hearings took place in Washington, DC in June 2019.

Extradition: As a member of the OECS, Grenada signed an Extradition Treaty with the United States in May 1996. The Extradition Act of Grenada (Act No. 22 of 1998) provides the legislative framework for extradition.

Implementation of the Inter-American Convention against Corruption (IACAC): Grenada ratified the IACAC in November 2001. 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 established the Integrity in Public Life Commission, which monitors and verifies disclosures, although disclosures are not made public except in court. According to the provisions of the statute, failure to file a disclosure should be noted in the Official Gazette. If the office holder in question fails to file in response to this notification, the commission can seek a court order to enforce compliance. Enforcement of these laws and procedures are generally effective and appear to be applied in a non-discriminatory manner. The Ombudsman Act of 2007 established the Office of Ombudsman. The country's first Ombudsman was appointed in September 2009. In 2017, the Ombudsman received 40 complaints, compared to 94 in 2016. Of the 40 complaints, six were closed, 28 are ongoing, advice was given for three, two were discontinued, and one was outside the Ombudsman's jurisdiction. The Royal Grenada Police Force received the highest number of complaints, totaling seven. Of those, four cases are ongoing while the other three were either closed, discontinued, or received advice.

Counter-narcotics Cooperation: The President has not identified Grenada as a major drug transit or major illicit drug producing country under the provision of the Foreign Relations Authorization Act. The United States enjoys strong operational cooperation with Grenada on drug control matters, and maintains bilateral agreements to suppress illicit traffic by sea with the country.

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, amended in 2011. The Act covers controlled and restricted drugs, controlled drugs in transit, drug trafficking, and related offences. The National Council on Drug Control (NCODC) was established by the Act to assess, monitor and implement all national drug control programs. In 2018, the National Schools Policy on Drugs was revised, and Grenada also participates in the Caribbean-wide Project on Drug Abuse Prevention and Child Oriented Policies. 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 effected an increase in seizures and prosecutions, reducing the prevalence of drug-related activity in the country. A high conviction rate also serves as an effective deterrent. The NCODC, Legal Affairs, Financial Affairs, Law Enforcement and Air and Maritime Cooperation Demand Reduction, are making significant efforts to meet the U.S. counter-narcotics certification criteria and eradicate drug abuse in Grenada.

Export Subsidies: The extent of the country's export subsidies and local content requirement is provided for within the Customs Duty Act, which states that duties otherwise imposed on goods of any description shall not apply to goods produced in a CARICOM member state. It also provides for the application of export duties to goods of community origin traded within CARICOM. Imported goods are treated as being of CARICOM origin when the goods are (a) wholly produced within the Community; or (b) produced within the Community wholly, or partly, from materials imported from a non-member State, or from materials of undetermined origin, by a process which results in a substantial transformation.

Self-Help Measures: In addition to the enactment of several pieces of legislation to facilitate trade, the country is also undertaking self-help measures to promote its own economic development. For example, Grenada restructured its debt schedule through a three-year structural adjustment program. Grenada also focused on attracting more investment by passing a new investment promotions act, developing its Citizenship by Investment Program, and targeting two of the country's primary economic pillars – tourism and agriculture.

Contribution to Regional Revitalization: Grenada participates in the CARICOM Single Market and Economy and has enacted several pieces of legislation to create a trade-friendly environment.

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

Guyana

Economic Review: In 2016, the United States' traditional deficit with Guyana changed to a surplus, which has since grown rapidly. Representing a wide range of sectors, U.S. exports to Guyana included machinery, chemical products, and foodstuffs. Under CBERA, Guyana exports foodstuffs, agricultural products, and garments, including rice, sugar, and margarine, to the United States. Gold and bauxite also qualify for MFN duty free access. Guyana's economy has enjoyed a modest growth rate over the past decade, outperforming many of its Caribbean peers. The IMF projected the country's GDP to increase by 3.8 percent in 2019, but GDP is projected to grow substantially in 2020 with the advent of oil revenues.

Indicator	Latest Data
Population*	779,004 (2018)
GDP*	\$3,610,435,299 (2018)
GDP per capita*	\$4,634.70 (2018)
U.S. Exports**	\$540,935,850 (2018)
U.S. Imports**	\$253,155,115 (2018)
Trade Balance**	\$287,780,735 (2018)

Source: The World Bank*; Department of Commerce 2018**

Starting in May 2015, ExxonMobil discovered 14 oil-bearing wells out of 16 attempts. The last discovery in September 2019 raised estimated reserves to over 6 billion barrels. Combined with recent back-to-back oil discoveries by British company Tullow Oil, Guyana is expected to generate large oil revenues that could potentially quadruple current GDP. The Government of Guyana created a sovereign wealth fund designed to manage the oil revenues for long-term sustainable growth. The government understands that much of the initial oil revenues needs to be invested in infrastructure projects, including an overhaul of the country's energy grid. Guyana's electrical grid still utilizes old generators that run on heavy fuel, and the country has one of the highest electricity costs in the region at approximately 35 cents per kilowatt hour. Much of the grid relies on analog devices. Power is therefore unreliable, forcing businesses to install backup systems at a substantial cost. This is the main reason why the manufacturing sector is lacking in Guyana, impacting the country's ability to export value-added products. However, should Guyana invest significantly in improving the country's energy grid and shifting towards renewable sources, the cost of electricity will decrease. This cost reduction could invigorate Guyana's manufacturing sector, resulting in increased exports.

The United States remains Guyana's top trading partner. In the past four years, Guyana's trade deficit has grown. Imports from the United States and other countries are growing. Chinese imports have more than tripled in the past decade. By contrast, Guyana's export market has remained flat or declined during the reporting period, causing some media outlets to question Guyana's foreign currency reserves. The Bank of Guyana claimed that its foreign reserves are sufficient. However, concerns by the public pushed the exchange rate to a new high of 233 Guyanese dollars to one U.S. dollar.

Guyana's use of CBERA/CBTPA for exports to the United States has declined dramatically over the past three years and may be attributed to a lack of awareness. Another possible reason is the rise of competition from other markets (both internationally and within the Caribbean community with countries like Haiti). Guyana's labor rates are favorable, but the cost of electricity puts a strain on the manufacturing sector that tends to push costs beyond global competitiveness.

Total exports and the amount shipped under CBERA/CBTPA in 2014 and 2015 were close in value. However, the total amount of goods exported and those exported under CBERA/CBTPA diverged substantially starting in 2016. The reason for this decline could be that exporters were not aware of the potential benefits and shipped goods paying standard duty rates. USTR was in Guyana in September of 2019 to explain the benefits of the program. In addition to the traditional export sectors, Guyana will soon take oil revenues in the form of unrefined oil barrels, which could potentially ship under the mineral fuels and oils section of CBERA/CBTPA.

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Guyana has been a WTO Member since 1995 and generally demonstrates a commitment to fulfill its WTO obligations on schedule. Guyana belongs to the Caribbean Community (CARICOM), which does offer special concession to the member Caribbean countries. In July 2001 the heads of government established the CARICOM Single Market and Economy (CSME), which would harmonize economic policy and create a single currency. Movement toward a single market and economy was delayed. In January 2006, the CARICOM Single Market (CSM) – which removed barriers to goods, services, trade, and several categories of labor – was implemented by all member states except The Bahamas and Haiti.

Reverse Preferences: Guyana does not afford preferential treatment to the products of a developed country, other than the United States. Guyana is a member of CARIFORUM, and party to the EPA between the European Community and CARICOM Member States. While there are preferential trade policies enshrined within this agreement, they are not afforded to the products of a developed country.

Protection of Intellectual Property: Guyana's Copyright Act dates to 1956, and its Trademark Act and Patents and Design Act dates to 1973. Guyana is currently revising and working on enacting a Copyright Bill that has been endorsed by WIPO. However, the process has been slow.

Guyana is a party to many international intellectual property treaties, including the Paris and Berne Conventions. However, the United States is concerned about intellectual property violations in the country. Patent and trademark infringement are common, and music, video, book, and software piracy remain a problem. In addition, U.S. media companies have raised concerns that local television stations, including state-owned and operated National Communication Network (NCN), pirated and rebroadcast TV satellite signals and unlicensed content online with impunity. The United States is monitoring activity and will engage with Guyana to ensure compliance with statutory criteria.

Intellectual Property/Broadcast Copyright Violations: The United States is aware of concerns from U.S. companies regarding unauthorized retransmission and online piracy, including transmissions of the content of U.S. right holders in spite of cease and desist letters.

Provision of Internationally Recognized Worker Rights: Guyana's labor laws provide protections to both Guyanese and migrant workers. The Guyanese Constitution guarantees labor rights of association and collective bargaining. The law requires employers to recognize any union elected by the majority of employees in a workplace. There is a tradition of close links between political

parties and labor unions. Forced and compulsory labor is constitutionally prohibited, and the Combatting of Trafficking in Persons Act prescribes penalties for forced labor as an element of trafficking in persons. Guyana has laws barring discrimination based on protected conditions such as race and religion, as well as laws governing equal pay for equal work.

Both the Education Act and the Employment of Young Persons and Children Act prohibit employment of children under the age of 15, with some exceptions for employment in family businesses outside school hours. The Employment of Young Persons and Children Act establishes the minimum age of 18 for admission to any type of employment which is likely to harm the health, safety or morals of young persons. The Occupational Safety and Health Act (OSHA) sets the minimum age for employment in factories at age 18 and authorizes inspectors to remove children under age 18 from work that may harm their health. These laws are hard to enforce in Guyana's vast interior, where small communities rely on agriculture and fishing.

Under the National Minimum Wage Order of 2016, the government has defined a normal work week as 40 hours distributed over no more than five days per week. Overtime work must be paid according to rates set in the Labor Act of 1978, or according to any collective bargaining agreement in force where workers are unionized. If any employer is found guilty of paying workers less than the stipulated amounts, the employer will be fined. Public sector workers are covered under separate legislation and enjoy a minimum wage of USD \$260 per month. The Department of Labour of the Ministry of Social Protection has recently commenced discussions to increase the National Minimum Wage.

Commitments to Eliminate the Worst Forms of Child Labor: The Department of Labor 2018 Findings on the Worst Forms of Child Labor reports that Guyana made moderate advancements in eliminating the worst forms of child labor. Guyana has ratified all key international conventions concerning child labor. In August 2018, the government established, within the Guyana Geology and Mines Commission, a trafficking in persons unit responsible for registering and categorizing local and foreign workers, including children, in the hinterland. Guyana issued its 2019-2020 National Action Plan for the Prevention and Response to Trafficking in Persons. The government also approved the National Policy on Child Labor, which aims to eradicate child labor by 2025, and contributed \$300,000 to NGO-run shelters for human trafficking victims.

However, children in Guyana continue to fall victim to the worst forms of child labor, including in commercial sexual exploitation. Children also engage in farming, fishing, and street work, including vending and begging. Law enforcement agencies have insufficient financial and human resources to enforce laws related to child labor, including its worst forms, and existing laws do not fully prohibit using children in certain forms of child labor. Moreover, the government does not have targeted social programs to fully address the extent of the child labor problem in the country.

Transparency in Government Procurement: Guyana is not a signatory of the WTO Agreement on Government Procurement. In spite of legislative advancements, widespread concerns persist, with allegations of rampant cronyism and nepotism. The Auditor General notes continuous disregard for the procedures, rules, and the laws that govern public procurement systems. The Procurement Act of 2003 provides for the establishment of a National Procurement and Tender

Administration Board, 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. With funding from U.S. Department of State, the Guyanese Ministry of Natural Resources completed a series of programs that helped Guyana comply and develop an acceptable candidacy submission for the Extractive Industry Transparency Initiative (EITI) Secretariat. EITI is the global standard for the good governance of oil, gas, and mineral resources. The EITI board approved Guyana's application to join the organization in 2017. Once Guyana fully implements EITI standards, the transparency in the extractive industry should substantially improve.

Arbitral Awards: The United States is unaware of any cases where Guyana 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 nationalization or expropriation of property of U.S. citizens.

Extradition: Guyana is covered under an extradition treaty from 1931 between the U.S. and Great Britain. In recent years, Guyana has extradited a fugitive wanted by the United States on drug trafficking charges and is currently preparing an extradition hearing for another fugitive wanted in the United States.

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.

As reported in the Fifth Round Report by the Organization of American States (OAS) in March 2018, Guyana made noteworthy progress made with the implementation of recommendations from prior reports. These included the creation of the Public Procurement Commission to monitor government purchases and ensure that such goods purchases are consistent with the law. In addition, Guyana implemented laws on whistleblower and witness protection: the 2016 Protected Disclosures Bill and the 2016 Witness Protection Bill, respectively.

Counter-narcotics Cooperation: The President did not identify Guyana as a major drug transit or major illicit drug producing country for fiscal year 2020. The Government of Guyana cooperates closely with relevant U.S. agencies and departments, but is limited by resource constraints. Guyana has shown strong interest in furthering collaboration with the United States under the Caribbean Basin Security Initiative. The country 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.

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 the United Kingdom. Guyana is also a member of the Organization of American States' Inter-American Drug Abuse Control Commission (OAS/CICAD). Guyana signed a maritime drug control bilateral agreement with the United States in 2001, but has yet to take the necessary domestic action to bring the agreement into effect.

In February 2018, the Government of Guyana passed the Witness Protection Act and the Protected Disclosures Act to complement its existing legislative regime addressing corruption and drug trafficking.

However, Guyana's location made it a "safe haven" for drug traffickers due to its extensive rainforest and under-monitored hinterland regions. Cocaine, while being trafficked, was often concealed in legitimate commodities and smuggled through commercial and private air transport, maritime vessels, air transport, human couriers, or various postal methods. The influence of narcotics trafficking was evident in the country's political and criminal justice systems. Drug traffickers were attracted by the country's poorly monitored ports, remote airstrips, intricate river networks, porous land borders, corruption, and weak security sector capacity.

Export Subsidies: Guyana is drafting a local content policy for the oil and gas sector, but that policy is still in draft form.

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 and supports its vision of creating a single market economy in order to boost regional integration.

Cooperation in Administration of the CBERA: Guyana continues to cooperate with the United States in the administration of CBERA. There have been efforts in the past two years to increase public awareness of the program, including events held in cooperation with USTR in 2019.

Haiti

Economic Review: The United States maintains a large trade surplus with Haiti. While the surplus shrank in 2018, it remains higher than in the previous reporting period. Even as the surplus grew, Haitian exports to the United States increased since 2015. U.S. imports from Haiti primarily consist of knit and woven apparel, while major export categories include special other (donated products), mineral fuels, cereals (rice), electrical machinery, and meat (poultry).

Indicator	Latest Data
Population*	11,123,176 (2018)
GDP*	\$9,658,084,644 (2018)
GDP per capita*	\$868.30 (2018)
U.S. Exports**	\$1,392,027,819 (2018)
U.S. Imports**	\$990,749,629 (2018)
Trade Balance**	\$401,278,190 (2018)

Source: The World Bank*; Department of Commerce 2018**

Recurring political and civil unrest since July 2018 and a protracted uptick in violent protests throughout the fall of 2019 have severely exacerbated Haiti's dire economic state. Haiti's economy faces rising food costs and inflation, persistent high unemployment, an unsustainable budget deficit, falling foreign reserves, and a currency that has depreciated nearly 30 percent against the dollar in the past year. Public frustration with economic woes in Haiti and with the government's failure to address corruption adequately have contributed greatly to recurring demonstrations, some of which have become violent. Inflation has reached 20 percent. Plagued by persistent political instability and frequent natural disasters, Haiti is the poorest country in the Western Hemisphere, and one of the poorest in the world. Over 60 percent of the population lives under the national poverty line of \$2.41 per day. More than 24 percent of the population lives under the national extreme poverty line of \$1.23 per day.

Haiti has few resources to tackle its economic challenges. Few people or businesses pay taxes and the state provides limited services. Haitians rely heavily on remittances from Haitians living abroad to supplement their income; the World Bank estimates remittances are equivalent to nearly one-third of Haiti's GDP. Haiti also faces many impediments to future growth: investor protections are weak, contract enforcement is uneven, energy costs are high, infrastructure is inadequate, and corruption is rampant. Haiti ranks near the bottom globally in well-known indices tracking ease of doing business, corruption perceptions, and investment climate.

Over 90 percent of Haiti's nearly \$1 billion in exports to the U.S. market are apparel items that enter the United States duty free under CBTPA and the Haitian Hemispheric Opportunity through Partnership Encouragement Acts of 2006 and 2008 (HOPE and HOPE II). CBTPA represents about one-third of these duty-free items. The Association of Haitian Industries estimates that, thanks to HOPE, the Haiti Economic Lift Program (HELP), and CBTPA, over 50,000 garment factory jobs have been created in Haiti. The legislation works to ensure the fair treatment of workers through a monitoring program, Better Work Haiti, funded by the U.S. Department of Labor. Two foreign apparel assembly firms that established factories in Haiti to utilize these trade preference programs also invested a combined \$45 million in 2016 and 2017 to open partner operations in North Carolina, creating hundreds of jobs there.

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Haiti has been a member of the WTO since 1996. During the reporting period, capacity constraints have prevented complete fulfillment of its WTO obligations on schedule.

Haiti has not yet ratified the WTO Trade Facilitation Agreement. 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 confirmed prime minister and council of ministers has taken office. Haiti has been without a confirmed prime minister and government since March 2019. While waiting for the political process to move forward, BACOZ staff are starting to consult with local stakeholders on the question of notifications within the Trade Facilitation Agreement.

Market Access/WTO Rules: The Government of Haiti consistently assures the United States that Haiti will continue to provide unfettered 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 all eight of the ILO core labor conventions. In practice, Haiti faces challenges in enforcing labor laws.

Effective November 1, 2019, Haiti increased the daily minimum wage for salaried workers that classify as "Segment A" from Haitian Gourdes (HTG) 500 (U.S. \$5.46) to HTG550 (U.S. \$6.01) for an eight-hour workday. The minimum wage for companies in sectors pertaining to "Segment B," which includes many service sectors, increased to HTG440 (\$4.80). For companies in sectors pertaining to "Segment C," which includes tourism and agriculture, the minimum wage increased to HTG385 (approximately \$4.20). The minimum wage for Segment F, consisting of assembly industries and industries geared towards export, increased from HTG420 (\$4.59) to HTG500 (US \$5.46). Domestic workers must earn a minimum wage of HTG250 (approximately \$2.73), up from HTG215 (\$2.34).

As outlined in Chapter 1, under HOPE II, the President must identify on a biennial basis producers who have failed to comply with core labor standards and with the labor laws of Haiti that directly relate to and are consistent with such standards, and seek to assist such producers in coming into

compliance with core labor standards and related Haitian laws. The President has delegated to the Secretary of Labor, in consultation with the USTR, his authority to identify any such producers and provide remediation assistance to them. For the two-year period ending in December 2017, DOL and USTR did not identify any producers in Haiti as noncompliant. Since the last report, in June 2019, DOL has continued to provide compliance assistance to at-risk factories.

In its 19th Biannual Synthesis Report under the HOPE II Legislation, *Better Work Haiti*, a U.S. Department of Labor funded program that monitors worker rights standards among companies that export to the United States under the HOPE legislation, found that, while non-compliance issues were relatively few, most of the factories operating in Haiti have at least one non-compliance issue related to either emergency preparedness, regulating working hours, or related to chemical and hazardous substances. Despite the few non-compliance issues, management and union representatives from factories at the Caracol Industrial Park and Metropolitan Industrial Park have participated in Better Work Haiti led workshops to promote management-worker dialogue, skill development for workers, and realizing improvements in working conditions.

Haiti's Constitution guarantees freedom of association and assembly, without arms, for any political, economic, social, or other cultural purpose. Haiti's Labor Code provides industrial workers the right to organize and bargain collectively, and defines and prohibits forced labor. Other laws and regulation meeting international standards include the 2014 Anti-Trafficking in Persons Law and the Act on the Prohibition and Elimination of All forms of Abuse, Ill Treatment, or Inhumane Treatment Against Children of 2003.

The Institute of Social Welfare and Research (IBESR) is attempting to combat the “*restavek*” practice by turning toward a policy of family reinforcement. The term *restavek* is given to children who come from poor, usually rural families and who are sent to live and work as domestic servants in homes without compensation. Haiti's Brigade for the Protection of Minors (BMP), the specialized police unit of the Haitian National Police that works in the prevention and protection of minors, has a 24/7 hotline where people can report cases of trafficking in persons, including *restavek*, and they frequently investigate such cases and make referrals to IBESR.

Haiti lacks a clear, easily applicable minimum age for domestic work, and limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. In addition, social programs to combat child labor are insufficient to adequately address the extent of the problem.

While gaps exist in Haiti's legal framework to protect children from child labor, the issue of child labor does not exist in the well-monitored formal sector. The labor code applies to workers who perform work under a formal employment agreement. The Haitian Parliament passed in September 2017 a new law that organizes and regulates work over a 24-hour period divided into three 8-hour shifts. This law sets the standard workday at eight hours and the workweek at 48 hours for industrial, commercial, agricultural, and tourist establishments as well as for public and private utilities. Article 10 of that law states that it is illegal to employ workers under 16 years old, and doubles penalties prescribed by the labor code if those workers are working at night. Haiti's labor code prescribes that work assigned to employed minors (children under 18) do not

go beyond their physical capacity, nor interfere with their education. The Labor Code prohibits children ages 16 to 18 from working at night, in industrial jobs, and in establishments that serve alcohol.

Commitments to Eliminate the Worst Forms of Child Labor: According to the Department of Labor's 2018 Findings on the Worst Forms of Child Labor, Haiti made a minimal advancement in efforts to eliminate the worst forms of child labor. Children in Haiti perform dangerous tasks in agriculture and domestic work. Children are also trafficked both internally and externally, primarily to the Dominican Republic, other Caribbean countries, South America, and the United States. Some of these children are reunited with relatives in the Dominican Republic, while others fall victim to commercial sexual exploitation, dangerous domestic and agriculture work, street vending, and begging. Haiti lacks a clear, easily applicable minimum age for domestic work and a list of hazardous occupations prohibited to children. Limited resources for the enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. In addition, social programs to combat child labor are insufficient to adequately address the extent of the problem.

Haiti's National Tripartite Committee, organized under the auspices of the Haitian government to help develop national policy to eliminate the worst forms of child labor in accordance with the International Labor Organization, updated the draft hazardous work list for children under age 18. The hazardous work list remains unapproved by Parliament during the reporting period.

In 2018, the Haitian government established, trained, and deployed a specialized unit of border police known as POLIFRONT to Ouanaminthe, Haiti's busiest border crossing, to combat human trafficking and the illicit drug trade across the border with the Dominican Republic. Haiti's Brigade for the Protection of Minors secured 17 convictions for crimes related to the worst forms of child labor.

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor. The Ministry of Social Affairs and Labor allocated \$709,000 to IBESR, which, during the report period, employed over 100 agents throughout Haiti. During the reporting period, IBESR conducted inspections in commercial and industrial establishments. IBESR also manages a hotline that receives complaints about situations requiring child protection.

Transparency in Government Procurement: Haiti is not a signatory to the WTO Agreement on Government Procurement. Haiti has an agency for the review of public procurement tender documents, and the Government of Haiti has recently taken some steps to improve financial transparency. In December 2018, the Ministry of Economy and Finance (MEF) made the government's proposed budget for fiscal year 2019 easily accessible to the general public. In May 2019, the Central Bank publicly released its independent audit for fiscal year 2018, which was conducted by international auditors. The MEF also started addressing an issue of cross-arrears in the fuel sector. In July 2019, the government's Audit Bureau submitted a report on the government's finances for fiscal year 2018 to parliament and made this report publicly available online. The MEF and the Central Bank continued to publish fiscal and monetary data. To improve transparency of financial management, the MEF, with support from USAID's Integrated

Financial Management System activity, renovated its Network Operation Center to enhance its public expenditure tracking capacity.

Despite recent progress, Haiti's fiscal transparency would be improved by publishing more details on revenue sources and types, as well as government expenditures, providing more detail on allocations to and earnings from state-owned enterprises, ensuring adequate audit and oversight for off-budget accounts, and consistently adhering to laws and regulations for contracting and licensing in natural resource extraction.

Arbitral Awards: The Haitian government has not failed to act in good faith in recognizing arbitral awards in favor of U.S. citizens. A Haitian court of appeals ordered an affixed seal that was placed on Golden Crown, a U.S.-owned mango-exporting company in Haiti, to be removed in March 2019. The ruling by the Haitian court allowed Golden Crown to resume its operations. Prior to the plant's closure, Golden Crown had been operating in Haiti for close to ten years, and according to the owners, had revenues of approximately \$1 million USD annually.

Nationalization/Expropriation: There have been no 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): Despite ratifying the IACAC in 2004, significant corruption is prevalent throughout Haiti and remains an ongoing challenge to economic growth. Haiti is one of the most corrupt countries in the world, according to Transparency International's Corruption Perception Index for 2018, ranking 161 out of 174 countries. According to the Director General of Haiti's Anti-Corruption Unit (ULCC), the Government of Haiti has conducted outreach with stakeholders to discuss the implementation of the Convention.

Counter-narcotics Cooperation: The President identified Haiti as a major drug transit or major illicit drug producing country for fiscal year 2020 under the provision of the Foreign Relations Authorization Act. Haiti is not a significant producer of illicit drugs for export, but rather serves as a transit point for cocaine originating in South America and marijuana originating in Jamaica. This traffic takes advantage of Haiti's severely under-patrolled maritime borders and its extensive land border with the Dominican Republic, as well as a judicial system that lacks the capability to successfully prosecute apprehended drug traffickers.

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 provides 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 current force of 230

officers with an additional 60 more officers to be added from the recent graduating class of HNP officers, and a 17-dog canine component capable of drug, explosive, and currency detection.

INL supports BLTS canine units in Cap-Haïtien, Port-au-Prince, and Les Cayes; 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 and the U.S. Coast Guard but has not impounded significant amounts.

Export Subsidies: The United States is unaware of any use of export subsidies or trade-distorting export performance or local content requirements.

Self-Help Measures: Through efforts to increase government revenues and implement tax reforms, the Government of Haiti has demonstrated its commitment to promote its own economic development. For example, in June 2019, the Haitian Customs Agency issued a rule to render inadmissible all customs declarations that do not include a certificate of verification issued by the Société Générale de Surveillance (SGS). This measure aims to increase customs revenue collections through accurate declaration of the value of an incoming shipment. In May 2019, the head of Haiti's budget office, under the Ministry of Economy and Finance (MEF), announced a three-year plan to transition to a new budgeting system that will modernize the government's budget management.

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 Ministry of Commerce and Industry, with the assistance of the Tripartite Commission for the Implementation of the HOPE legislation, administers the electronic visa system for Haiti's exports of goods under HOPE.

Jamaica

Economic Review: The United States maintains a large trade surplus with Jamaica, which has grown since the previous reporting period to \$2.2 billion in 2018. The United States is the largest source of imports to Jamaica, accounting for approximately 44 percent of Jamaica's total imports. While the trade surplus grew, U.S. imports from

Jamaica also increased over the reporting period and Jamaica diversified its exports beyond traditional ones to the United States. Major U.S. exports to Jamaica include oil and gas, and chemicals, while imports primarily comprise minerals, ores, and metals. The Jamaican economy is heavily dependent on services, which account for over 70 percent of GDP. The country derives most of its foreign exchange from tourism services, which account for 20 percent of GDP. Remittances further account for about 15 percent of GDP, while bauxite/alumina exports account for less than 5 percent of GDP. Although the country continued to grow its services exports, particularly tourism services, visible exports and the associated economic expansion remain stagnant.

Jamaica's economy has grown on average by less than one percent a year for the last three decades, and many impediments remain to economic and export growth: a bloated public sector which crowds out spending on growth-inducing projects; low labor productivity; red tape; uncompetitive interest rates; high energy costs; crime and corruption; and a high debt-to-GDP ratio.

Jamaica has, however, made steady progress in restructuring its economy through several economic and legislative reforms under a series of IMF Programs that began in 2013 and should conclude in late 2019. The country reduced its debt-to-GDP ratio from a high of almost 140 percent in 2012 to less than 100 percent, and is on track to reach 60 percent by 2025. The existing IMF Stand-By Arrangement requires Jamaica to produce an annual primary surplus of 7 percent. While economic growth remained anemic, the country recorded sixteen consecutive quarters of expanded output to the end of 2018. National output also increased to 1.9 percent at the end of 2018, almost double the long-term rate of expansion. Other economic indicators are headed in the right direction as well, with inflation and interest rates at historic lows. Net International Reserves (NIR) of US\$3 billion are also at record levels and the current account deficit has moderated to low single digit. The improving macroeconomic environment has influenced a decline in the unemployment rate to a record low of 7.8 percent, while the poverty rate is at 19.3 percent. Business and consumer confidence have responded positively, increasing consistently since 2014. The current administration now faces the difficult prospect of maintaining fiscal discipline to reduce the debt overhang while simultaneously attacking a chronic crime problem.

Indicator	Latest Data
Population*	2,934,855 (2018)
GDP*	\$15,717,858,487 (2018)
GDP per capita*	\$5,355.60 (2018)
U.S. Exports**	\$2,610,947,394(2018)
U.S. Imports**	\$378,795,623(2018)
Trade Balance**	\$2,232,151,771 (2018)
Source: The World Bank*; Department of Commerce 2018**	

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Jamaica has been a WTO Member since 1995 and has generally demonstrated its commitment to fulfill its WTO obligations. Jamaica ratified the Trade Facilitation Agreement on January 19, 2016, and last underwent a Trade Policy Review at the WTO in September 2017. Jamaica still has to complete the Art 10.6.2 requirement on notifying information about the use of customs brokers.

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, particularly in the context of CBI program benefits.

Reverse Preferences: Jamaica does 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 EPA between the European Community and CARICOM Member States. While there are preferential trade policies enshrined within this agreement, they are not afforded to the products of a developed country.

Protection of Intellectual Property: In addition to being a member of the World Intellectual Property Organization (WIPO) and a signatory of the Berne Convention, Jamaica and the U.S. have an Intellectual Property Rights Agreement and a Bilateral Investment Treaty, both which emphasize protection of intellectual property. However, Jamaica has been on the Special 301 Watch List since 1998 primarily due to concerns with Jamaica's outdated patent and industrial designs regime. The 2018 Special 301 Report again urged Jamaica to pass a modernized Patent and Designs Act, which had been under consideration by its legislature for over a decade. In December 2019, the House of Representatives passed the Patent and Deigns Act, which is now pending before the Senate.

Additionally, the 2019 Special 301 Report noted that Jamaica has continued its efforts to combat the broadcasting of unlicensed copyrighted content. In June 2017, the U.S. Government led the joint CARICOM-United States dialogue on broadcast enforcement in Jamaica, which brought together content licensors, cable operators, regulators, and copyright officers. On January 26, 2018, the Broadcast Commission of Jamaica commenced a biennial copyright audit of all subscriber television operators and FTA TV licensees. The Jamaican broadcast regulator has redoubled efforts to enforce copyright, yet there remain report dozens of local operators continue to illegally broadcast content.

Intellectual Property/Broadcast Copyright Violations: While the Jamaican broadcast regulator has redoubled efforts to enforce copyrights in recent years through, among other tools, periodic audits of all content providers to ensure proper license arrangements, dozens of local operators continue to illegally broadcast content.

Provision of Internationally Recognized Worker Rights: Jamaica has incorporated both international norms and domestic policy into its worker rights laws and has ratified all eight of the ILO core labor conventions. Workers generally enjoy rights of association, as well as the right to organize and bargain collectively, although both management and workers were often unaware of their rights and obligations. Jamaica has an estimated labor force of approximately 1.3 million, of which about 20 percent is unionized. Worker rights in Jamaica are defined and protected under the Labor Relations and Industrial Disputes Act. The law prohibits all forms of forced or compulsory labor. The government sets occupational safety and health standards, which are current and appropriate for the main industries in the country. An Occupational Safety and Health Act (OSHA) is currently before a Joint Select Committee of Parliament and could come into effect by the end of 2019. There is a standard 40-hour workweek, with at least one day of rest per week mandated, paid annual holidays, and overtime compensation for work beyond 40 hours. The minimum wage, which the government reviews each year, was \$7,000 JMD (\$52) per week. According to the Jamaica Survey of Living Conditions, the poverty rate increased slightly from 17.1 percent in 2016 to 19.3 percent in 2017.

The Child Care and Protection Act establishes the minimum age for employment at 15, but Jamaica has not adopted the Occupational Safety and Health Act that would introduce a comprehensive list of prohibition on hazardous work for children. The Child Care and Protection Act also allows children ages 13 to 14 to engage in light work for a maximum 4 hours a day and 14 hours a week; however, the list of occupations and hours considered light work has not been finalized by the government.

Commitments to Eliminate the Worst Forms of Child Labor: Jamaica has ratified all key international conventions concerning child labor, including its elimination of the worst forms. The Department of Labor 2018 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. The government published the results of its Jamaica National Youth Activity Survey and increased its number of labor inspectors to meet recommended international enforcement standards. Jamaica also amended a key piece of legislation related to human trafficking and established the U.S.-Jamaica Child Protection Compact Partnership to combat child trafficking.

However, children are victim to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and illicit activities. Children also perform dangerous tasks in agriculture, fishing, construction, domestic work, and in wholesale and retail. Jamaica's labor inspectorate lacks the authority to assess penalties for labor law violations and although the government has laws prohibiting the use of children in some illicit activities, it does not provide higher penalties for using, procuring, or offering children for the production and distribution of drugs compared to those for using adults

Transparency in Government Procurement: Jamaica is not a signatory of the WTO Agreement on Government Procurement. The Government of Jamaica has comprehensive public procurement procedures, which are overseen by the Contractor General and most recently updated in 2018, that include accompanying regulations. The amendments, among other things, enhance the potential for micro, small and medium-sized enterprises (MSMEs) 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.

Arbitral Awards: Jamaica has been a signatory to the International Center for Settlement of Investment Disputes (ICSID) since 1965. Commercial disputes that are not resolved in the local courts may be brought to arbitration under the ICSID. ICSID awards are enforceable by the Jamaican courts. 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 action and were granted restitution in the local courts.

Nationalization/Expropriation: There are no reports of nationalization or expropriation of property of U.S. citizens in Jamaica. Jamaica has a bilateral investment treaty with the United States that entered into force in March 1997. Property rights are protected under Section 18 of the Jamaican Constitution. The Land Acquisition Act allows government expropriation of land, but requires that compensation be paid based on market value. Although the Act allows for expropriating land prior to payment, landowners are entitled to accrue interest on the monies they are owed for the period between government expropriation and final payment.

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

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. Jamaica's Corruption Prevention Commission (CPC) requires the filing and examination of statutory declarations of public sector workers and investigates complaints regarding corruption where necessary. To date, there has been little enforcement, as the CPC lacks the capacity to enforce the filing of declarations or prosecute wrongdoers.

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 CPC with the Office of the Contractor General and the Integrity Commission, which will investigate reports of corruption in public procurements, oversee the statutory financial declarations of both civil servants and parliamentarians, and importantly, prosecute corruption cases.

Counter-narcotics Cooperation: Jamaica was identified as a Major Drug Transit or Major Illicit Drug Producing Country for fiscal year 2020, but it is not designated as having "failed demonstrably" to make substantial efforts during the previous 12 months to fulfill its obligations under international counter-narcotics agreements and 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. Cooperation between the United States and Jamaica against illicit drugs and related transnational crime remains strong. 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. Jamaica's drug control efforts face significant challenges from corruption, organized crime, gang activity, resource constraints, and an inefficient criminal justice system

Export Subsidies: Jamaica does not use export subsidies or trade-distorting export performance or have local content requirements.

Self-Help Measures: Jamaica made significant improvements in its business environment, resulting in better rankings in the World Bank's *Doing Business* reports in 2015 and 2016, though the country fell three places in 2017. The country was recognized in 2017 by the Financial Times as the top performing island globally in "business friendliness" and among the top ten in "connectivity," "human capital," and "lifestyle." Jamaica continues to address some structural bottlenecks including high energy cost, crime, and corruption.

Contribution to Regional Revitalization: Jamaica has been a major proponent of regional economic integration and was among the first to reduce duties on goods from CARICOM countries. The country remains the largest recipient of CARICOM goods, importing US\$422 million from its regional partners in 2018. Jamaica's current administration has recommitted to the CARICOM integration process and has encouraged its private sector to utilize the trade component of the Caribbean Court of Justice (CCJ) to address trade barriers.

Cooperation in Administration of the CBERA: The Trade Board, a government agency, is responsible for administering the CBERA program. While the Government of Jamaica recognizes the importance of the CBERA program, they are concerned about the underutilization of the program and attribute this to supply side constraints. The Government of Jamaica worked with USTR to hold an event in Kingston in November 2019 to increase awareness of the program and explain its benefits.

Montserrat

Economic Review: Both U.S. exports and trade balance have increased in 2018. GDP increased substantially since 2014 while U.S. imports has shown strong growth 2018. Montserrat suffered severe economic difficulty in recent years due to volcanic eruptions. Starting in 1995, repeated eruptions of the Soufriere Hills Volcano in the south of

Indicator	Latest Data
Population*	4,993 (2018)
GDP*	\$161,890,000 (2018)
GDP per capita*	\$11,582.00 (2018)
U.S. Exports**	\$17,513,147(2018)
U.S. Imports**	\$1,351,784 (2018)
Trade Balance**	\$16,161,363 (2018)
Source: UN Statistics Division*; Department of Commerce 2018**	

the island have led to the evacuation and relocation of residents from the “exclusion zone.” Approximately 60 percent of the island’s land area has been abandoned since 1995 and half of the island remains uninhabitable, including the capital city. An estimated 8,000 refugees left the island, though some are returning. While there has been no major volcanic activity since February 2010, activity could resume with little or no warning. The decrease in arable land associated with the volcanic eruptions has increased Montserrat’s reliance on tourism.

The Caribbean Development Bank guides Montserrat’s redevelopment process with a series of rolling medium-term Sustainable Development Plans, with the goal of transforming the economy by 2020. The government wants to promote private enterprise to drive economic growth.

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Montserrat is not a WTO Member.

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 States.

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

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

Provision of Internationally Recognized Worker Rights: The labor force in Montserrat is small, and the government employs a majority of it. There is no legislated workweek, but workers generally work a 40-hour workweek. The Employment Ordinance No. 19 of 1979 governs labor relations. The Labor Department provides conciliation service. The Montserrat Allied Workers Union provides representation for workers outside the public sector.

Commitments to Eliminate the Worst Forms of Child Labor: The U.S. Department of Labor's 2019 Findings on the Worst Forms of Child Labor reports that child labor, or its worst forms, does not appear to be a problem for Montserrat.. However, there is no formal structure in place to combat child labor, and critical gaps exist in the legal framework to protect children from being involved in the worst forms of child labor. The minimum age for employment under the Montserrat Labor Code is sixteen years of age; however, children older than fourteen years of age are allowed to participate in light work. Children younger than eighteen are prohibited from working at night or in hazardous occupations.

Transparency in Government Procurement: Montserrat is not a signatory of the WTO Agreement on Government Procurement (GPA). Montserrat's laws regarding government procurement are those of the United Kingdom, which is a party to the GPA given its membership in the European Union. However, the GPA does not apply to procurement by Montserrat..

Arbitral Awards: The United States is unaware of any 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 any outstanding expropriation claims or nationalization of foreign enterprises in Montserrat.

Extradition: An extradition treaty from 1977 between the U.S. and Great Britain covers Montserrat. In recent years, local courts have ruled against extraditing individuals to the United States.

Implementation of the Inter-American Convention against Corruption (IACAC): Montserrat is not a signatory to the IACAC, but as a British Overseas Territory, its international obligations derive from those of the United Kingdom.

Counter-narcotics Cooperation: Montserrat was not identified as a jurisdiction of concern in the State Department's 2019 International Narcotics Control Strategy Report. Additionally, the President has not identified Montserrat as a major drug transit or major illicit drug producing country under the provision of the Foreign Relations Authorization Act.

Export Subsidies: The law of Montserrat does not provide for export subsidies. Montserrat does not mandate local employment.

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.

St. Kitts and Nevis

Economic Review: The United States consistently maintains a large trade surplus with St. Kitts and Nevis and the surplus has grown since the last reporting period. In the last two years, the economy of St. Kitts and Nevis remained buoyant, fueled by revenue from its Citizenship by Investment Program, low oil prices, a robust

construction sector, and increased tourist arrivals. The government remains committed to creating an enhanced business climate to attract more foreign investment. Priority investment sectors include financial services, tourism, real estate, agriculture, information technology, education services, and limited light manufacturing. St. Kitts and Nevis is a member of the OECS.

St. Kitts and Nevis suffered some impact from the passage of both Hurricanes Irma and Maria in September 2017, including a decrease in GDP growth that has since recovered. The Government of St. Kitts and Nevis assessed the damage at \$55 million.

Commitment to Undertake WTO Obligations and Participate in Negotiations towards the FTAA or Another FTA: St. Kitts and Nevis became a WTO Member on February 21, 1996 and generally demonstrates a commitment to fulfill its WTO obligations on schedule. St. Kitts and Nevis ratified the WTO Trade Facilitation Agreement (TFA) in 2016 and has implemented a number of its requirements.

Market Access/WTO Rules: The Government of St. 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: St. Kitts and Nevis does not afford preferential treatment to the products of a developed country, other than the United States. St. Kitts and Nevis is a member of CARIFORUM, and party to the EPA between the European Community and CARICOM Member States. While there are preferential trade policies enshrined within this agreement, they are not afforded to the products of a developed country.

Protection of Intellectual Property: St. Kitts and Nevis has a legislative framework for intellectual property protection. The country is a signatory to many international agreements related to intellectual property, including the Paris Convention for the Protection of Industrial Property, the Patent Cooperation Treaty (PCT), and the Berne Convention for the Protection of Literary and Artistic Works. While the legal structures governing intellectual property are considered strong, enforcement in general should be strengthened. U.S. media companies have

Indicator	Latest Data
Population*	52,441 (2018)
GDP*	\$1,039,875,050 (2018)
GDP per capita*	\$5,829.40 (2018)
U.S. Exports**	\$209,365,549 (2018)
U.S. Imports**	\$51,936,714 (2018)
Trade Balance**	\$157,428,835 (2018)

Source: The World Bank*; Department of Commerce 2018**

noted that they believe that St. Kitts and Nevis' main cable operator, which is majority owned by the government, is transmitting unlicensed U.S. content.

Intellectual Property/Broadcast Copyright Violations: The United States is aware of concerns expressed by U.S. companies that an entity majority owned by the Government of St. Kitts and Nevis continues to transmit unlicensed content and has not addressed requests for monetary damages.

Provision of Internationally Recognized Worker Rights: St. Kitts and Nevis has adopted various laws regarding worker rights, including the ratification of all eight ILO core labor conventions. The labor laws and procedures are the same in both St. Kitts and Nevis. The law provides for the right to form and join independent unions, or staff associations, which can negotiate better wages and benefits for union members and the right to strike. The law permits the police, civil service, and organizations such as hotels, construction workers, and small businesses to organize staff associations. Some staff associations have bargaining powers and dispute settlement rights; associations do not have collective bargaining rights but may negotiate or represent members. Employers generally recognized a union if a majority of workers voted to organize, although they are not legally obliged to recognize a union.

The government set the minimum wage, approximately \$3.33 an hour, in 2014. The law provides for a 40- to 44-hour workweek, but the common practice is 40 hours in five days. St. 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 generally outdated but appropriate for the country's main industries. Workers can remove themselves from situations that endangered health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation. St. Kitts and Nevis also requires that employers report accidents and dangerous incidents. The Labor Commission settles disputes over occupational safety and health conditions.

The constitution prohibits slavery, servitude, and forced labor of children, and the country's Department of Labor adequately enforced this law. The United States is not aware of reports of child labor violations during the reporting period. The minimum legal working age is 16 years.

Commitments to Eliminate the Worst Forms of Child Labor: There was no evidence to suggest that the worst forms of child labor was a problem in St. Kitts and Nevis. The minimum legal working age is 16 years. The law prohibits child labor, and a special victims unit has been created by the police and the Child Protections Services agency to carry out investigations on the worst forms. Prohibitions do not apply to family businesses, and children ages 16 and 17 appear to lack legal protections from employment in dangerous conditions. The law permits employment of youth between the ages of 16 and 18 years with regular hours, except in certain industries related to the hotel and entertainment sectors, where their employment is restricted. Other than those limitations, there are no provisions in law or regulation to protect individuals between 16 and 18 years old from working in hazardous conditions. The Labor Ministry relied heavily on school truancy officers and the Community Affairs Division to monitor compliance, which they did

effectively. The Labor Ministry reported that investigations were infrequent in the informal sector, and fines and penalties were not always enforced. The ministry provided no information on the amounts of fines, or other penalties required by law.

Transparency in Government Procurement: The procurement policies of St. Kitts and Nevis are generally open and transparent, and the United States is not aware of any noncompetitive bidding procedures. St. Kitts and Nevis is not a signatory of the WTO Agreement on Government Procurement. In 2012, St. Kitts and Nevis enacted the Procurement and Contract Administration Act. This piece of legislation makes provision for the grant of government contracts to be done by a transparent bidding process. St. Kitts and Nevis 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.

Arbitral Awards: During the reporting period, the United States is unaware of any cases where St. Kitts and Nevis failed to act in good faith in recognizing arbitral awards in favor of U.S. Citizens.

Nationalization/Expropriation: The United States is aware of two separate and outstanding cases involving the seizure of American-owned property by the Government of St. Kitts and Nevis. In the first case, the previous administration reached a settlement and arranged a payment plan with a U.S. citizen for a large parcel of land. That administration paid the U.S. citizen the installments for 2013 and 2014, but the subsequent administration did not pay the 2015 and 2016 installments. Although a court in St. Kitts and Nevis ordered the government to complete the 2015 and 2016 installments, the government has yet to do so. The government claims another individual made a claim on the property, and that it must wait until a court determines the outcome of the other claim before completing payments to the American owner. The Government of St. Kitts and Nevis remains indebted to the U.S. citizen for two installments of \$5 million each.

In the second case that occurred in January 2015, an American company signed an agreement with St. Kitts and Nevis to provide 2 million gallons of water. The government expropriated one of the company's wells in November 2018 without compensation. In February 2019, the government 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. Although the government agreed to the payments, the Ministry of Infrastructure has not released the funds. The United States continues to monitor these cases.

Extradition: The United States and St. 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): St. Kitts and Nevis has ratified the IACAC. Domestic law provides criminal penalties for official corruption, and the government generally effectively implements these laws. Government agencies involved in enforcement of anti-corruption laws include the Royal St. Kitts and Nevis Police Force, the Director of Public Prosecutions, and the Financial Intelligence Unit. The Financial Intelligence

Unit investigates financial crimes, but there is not an independent body established to handle allegations of government corruption.

Counter-narcotics Cooperation: The President has not identified St. Kitts and Nevis as a major drug transit or major illicit drug producing country under the provision of the Foreign Relations Authorization Act. The United States enjoys strong operational cooperation with St. Kitts and Nevis on drug control matters. The United States maintains bilateral agreements to suppress illicit traffic by sea with St. Kitts and Nevis. The State Department's 2019 International Narcotics Control Strategy Report on the Eastern Caribbean notes that the country increased the size of its police force and opened a new forensics laboratory during the reporting period, but also identifies the country as a significant money laundering country. St. Kitts and Nevis has several programs on prevention and treatment of drug use. While cannabis continues to be cultivated in the mountainous regions, the Government of St. Kitts and Nevis reported eradicating 45 hectares in 2018.

Export Subsidies: The law of St. Kitts and Nevis does not provide for export subsidies. St. Kitts and Nevis does not mandate local employment. The provisions of the Labor Code outline the requirements for acquiring a work permit and prohibit anyone who is not a citizen of St. Kitts and Nevis or the OECS from engaging in employment without a work permit. As a member of the WTO, St. Kitts and Nevis is party to the Agreement to the Trade Related Investment Measures. There are no requirements for participation either by nationals or by the government in foreign investment projects. There is no requirement that enterprises must purchase a fixed percentage of goods from local sources, but the government encourages local sourcing.

Self-Help Measures: The Government of St. Kitts and Nevis strongly encourages FDI, particularly in industries that create jobs, earn foreign currency, and have a positive impact on its citizens. St. Kitts and Nevis is the first ECCU member state to achieve the ECCB's goal of a maximum debt-to-GDP ratio of 60 percent by 2030.

Contribution to Regional Revitalization: St. Kitts and Nevis encourages investments that will create jobs and increase exports and foreign exchange earnings.

Cooperation in Administration of the CBERA: St. Kitts and Nevis continues to cooperate with the United States in the administration of CBERA.

Saint Lucia

Economic Review: Saint Lucia's economy was dependent on tourism and foreign investment, which accounted for most of its GDP and made it vulnerable to external shocks. Growth of 3.5 percent was forecasted for 2017. The island nation attracted foreign business and investment, especially in its offshore banking and tourism industries. Tourism is was Lucia's main economic sector, accounting for about 20 percent of jobs in the workforce. Real estate and transport were other leading sectors. The Saint Lucian government encouraged investment in all sectors, but targeted sectors included: tourism, smart manufacturing and infrastructure, information and communication technologies, alternative energy, education, and knowledge processing operations.

Indicator	Latest Data
Population*	181,889 (2018)
GDP*	\$1,876,189,777.80 (2018)
GDP per capita*	\$10,315 (2018)
U.S. Exports**	\$609,753,599 (2018)
U.S. Imports**	\$26,102,357 (2018)
Trade Balance**	\$583,651,242 (2018)
Source: The World Bank*; Department of Commerce 2018**	

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Saint Lucia became a WTO Member on January 1, 1995 and 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.

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: Saint Lucia does 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 EPA between the European Community and CARICOM Member States. While there are preferential trade policies enshrined within this agreement, they are not afforded to the products of a developed country.

Protection of Intellectual Property: Saint Lucia has a legislative framework for the protection of intellectual property rights; however, enforcement should be strengthened. The Attorney General is responsible for administering intellectual property laws. The registration of patents, trademarks, and service marks is administered by the Registry of Companies and Intellectual Property Office. The Copyright Act of 1995 governs ownership and infringement of copyrighted works in Saint Lucia. Saint Lucia is a signatory to a number of international intellectual property rights treaties, including the Berne Convention, the World Intellectual Property Organization (WIPO) Copyright Treaty, the WIPO Performances and Phonograms Treaty, and others. Saint Lucia is making meaningful strides regarding its intellectual property laws in spite of a lack of resources.

Saint Lucia maintains a statutory licensing regime that includes a requirement to pay royalties to rights holders. However, right holders assert that they do not receive royalty payments due to a pattern of unlicensed cable-casting and broadcasting of copyrighted music.

Intellectual Property/Broadcast Copyright Violations: There are no reported government-owned entities broadcasting copyrighted materials belonging to U.S. copyright-holders without their express consent.

Provision of Internationally Recognized Worker Rights: Saint Lucia has adopted various laws regarding worker rights. A new labor code took effect in August 2012 that extensively defines worker rights and increases penalties for violations. The law brings with it several previously non-included rights. First, the law specifies the right of most workers to form and join independent unions, to strike, and to bargain collectively. Second, the law prohibits anti-union discrimination, and workers fired for union activity have the right to reinstatement. Worker organizations are independent of the government and political parties. Thus, this grants workers the right to strike and to bargain collectively. The government generally respected freedom of association and the right to collective bargaining in practice. Following the passage of new legislation, the government enforces penalties and remedies to combat possible violations.

There is no minimum wage in effect. The legislated workweek is 41 hours, although the common practice is to work 40 hours in five days. Occupational health and safety regulations are relatively well developed. However, there are only eight labor inspectors and one occupational health and safety qualified inspector for the entire country to monitor compliance with occupational and safety standards, pension standards, and minimum wage violations. These logistical issues complicate compliance enforcement of occupational and safety standards, minimum wage violations, and pension standards. Article 122 of the Labor Code, Amendment Act (13, 14) establishes the minimum age for employment at fifteen years of age. Saint Lucia has ratified seven of eight of the ILO core labor conventions.

Commitments to Eliminate the Worst Forms of Child Labor: The law sets a minimum legal working age of 15, once the child has finished the school year. The minimum legal age for industrial work is 18. The law provides special protections for workers younger than the age of 18 regarding working conditions and prohibits hazardous work, although there are no specific restrictions on working hours for those under the age of 18. There is no comprehensive list of what constitutes hazardous work. However, the Occupational Health and Safety Act prohibits children under the age of eighteen from working in industrial undertakings, including using machinery and working in extreme temperatures. Children between the ages 15 and 18 need a parent's permission to work. The Ministry of Infrastructure, Ports, Energy, and Labor is responsible for enforcing statutes regulating child labor. These laws were adequately enforced, and the penalties and inspections were adequate.

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

Nationalization/Expropriation: Under the Land Acquisition Act, the government can acquire land for a public purpose provided it provides just compensation. Saint Lucia expressed willingness to correct certain longstanding expropriation grievances. By way of example, an American citizen

purchased 32 acres of land in Saint Lucia in 1969. It was expropriated from him in 1985 by an act of law, and he has sought redress since that time. In July 2014, the Cabinet of Ministers denied the claimant's application to rectify the land registry in his favor. In subsequent recognition of certain questions of fairness associated with the cabinet's review process, the Government of Saint Lucia established a committee to review this and similar cases in an attempt to resolve the claims. However, to date the American citizen's expropriation case remains unresolved.

Extradition: Saint Lucia signed an Extradition Treaty with the United States as part of the OECS in April 1996.

Implementation of the Inter-American Convention against Corruption (IACAC): Saint Lucia ratified the IACAC in January of 2003. Currently, Saint Lucia ranked 55 out of 180 in the 2018 Transparency International Corruption Index. Although Saint Lucia has laws in place to combat corruption, enforcement of said laws is not constantly effective.

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

Self-Help Measures: The government of Saint Lucia provides a number of investment incentives to encourage both domestic and foreign private investment. Recent amendments to the International Business Act seeks to encourage businesses to locate their head offices in Saint Lucia. Foreign investors in Saint Lucia can repatriate all profits, dividends, and import capital.

Contribution to Regional Revitalization: Saint Lucia's trade policies contribute to the revitalization of the Caribbean Basin Initiative by facilitating trade, and encouraging FDI. The country is also undertaking self-help measures to promote its own economic development by providing a number of investment incentives to encourage both domestic and foreign private investment.

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

St. Vincent and the Grenadines

Economic Review: While exports to the United States from St. Vincent and the Grenadines increased by over 70 percent during the reporting period, the United States continues to maintain a large trade surplus with the country. Both the majority of exports and export growth to the United States can be attributed to sales of fish and other marine products.

Indicator	Latest Data
Population*	110,210 (2018)
GDP*	\$813,093,984 (2018)
GDP per capita*	\$7,377.70 (2018)
U.S. Exports**	\$82,375,064(2018)
U.S. Imports**	\$5,305,333 (2018)
Trade Balance**	\$77,069,731 (2018)

Source: The World Bank*; Department of Commerce 2018**

St. Vincent and the Grenadines' economy grew by 2.6 percent in 2018. The country sought to diversify its economy among several markets, particularly tourism, international financial services, agro-processing, light manufacturing, renewable energy, creative industries and information and communication technologies.

St. Vincent and the Grenadines is a member of the OECS and has been a beneficiary of the CBERA since its inception. The Government of St. Vincent and the Grenadines made a request to be included under CBTPA, but was unsuccessful. The country has plans to submit a new application to become a beneficiary country.

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: St. Vincent and the Grenadines became a WTO Member on January 1, 1995 and generally demonstrates a commitment to fulfill its WTO obligations on schedule. St. Vincent and Grenadines maintains its market-access commitments and exemptions in a number of service sectors that were made during the Uruguay round of negotiations in 1986-1994.

Market Access/WTO Rules: St. 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: St. Vincent and the Grenadines does not afford preferential treatment to the products of a developed country, other than the United States. St. Vincent and the Grenadines is a member of CARIFORUM, and party to the EPA between the European Community and CARICOM Member States. While there are preferential trade policies enshrined within this agreement, they are not afforded to the products of a developed country.

Protection of Intellectual Property: St. Vincent and the Grenadines has a legislative framework for the protection of intellectual property rights. While the legal structures governing intellectual property are adequate, enforcement measures are inconsistent. The administration of intellectual property laws is the responsibility of the Office of the Attorney General. St. Vincent and the Grenadines is signatory to the Paris Convention and the Berne Convention. The country is also a member of the UN World Intellectual Property Organization (WIPO) and is a signatory to its treaties.

St. Vincent and the Grenadines maintains a statutory licensing regime that includes a requirement to pay royalties to rights holders. Rights holders asserted that they did not receive royalty payments due to a pattern of unlicensed cable-casting and broadcasting of copyrighted music.

Intellectual Property/Broadcast Copyright Violations: The United States continues to have concerns about the retransmission of U.S. broadcast and cable programming by cable operators in St. Vincent and the Grenadines without consent, and without adequately compensating U.S. right holders, but is unaware of any unauthorized broadcasts by government-owned entities.

Provision of Internationally Recognized Worker Rights: St. Vincent and the Grenadines has adopted various laws regarding worker rights and has ratified all eight of the ILO core labor conventions. The law, including related regulations and statutory instruments, provides for the rights of workers to form and join unions of their choice, bargain collectively, and conduct legal strikes. The law prohibits anti-union discrimination and dismissal for engaging in union activities. The Wages Council Act establishes, through the Wages Council, minimum wages, hours of work, overtime, vacation, sick leave, and maternity leave for specified categories of workers. Employers who fail to pay minimum wages are subject to fines and orders for payment of the wages. The hours of work for specified categories of workers are usually eight hours per day with overtime generally calculated at a rate of time and a half and double for work done on Sundays and public holidays.

The law provides for a minimum working age of 16, and this provision is generally observed. Compulsory primary and secondary education policies reinforced minimum age requirements. The Labor Department has a small cadre of labor inspectors who conducted spot investigations of enterprises and checked records to verify compliance with the law. These inspectors may take legal action against an employer who is found to employ underage workers.

The government has added hazardous work legislation to protect workers, particularly in the agriculture sector. The Factories Act provides general health and safety guidance to Labor Ministry inspectors. An Occupational Safety and Health Bill was introduced in 2016. The Labor Commissioner settles disputes between employer and employees over safety conditions. Workers have the right to report unsafe work environments without jeopardizing employment, and inspectors must then investigate such claims.

Commitments to Eliminate the Worst Forms of Child Labor: The U.S. Department of Labor's 2018 Findings on the Worst Forms of Child Labor reports that St. Vincent and the Grenadines made a minimal advancement in efforts to eliminate the worst forms of child labor. The government increased the budget for the labor inspectorate and the number of labor inspectors. The government also trained criminal law enforcement personnel on child labor and human trafficking. There are reports that children in St. Vincent and the Grenadines engage in the worst forms of child labor and human trafficking, including in commercial sexual exploitation, in addition to performing dangerous tasks in begging. Gaps remain in the legal framework, as the minimum age for hazardous work falls below international standards and there is no law to prohibit the use of children in the production of drugs. The law sets the minimum working age at 14. Compulsory education ends at age 16. The law does not place any restrictions on the number

of hours children under 18 may work, and there are no prohibitions against those under 18 working in hazardous industries or environments.

The Prevention and Trafficking in Persons Act in 2012 established a National Task Force against Trafficking in Persons. The Government of St. Vincent and the Grenadines, however, has not effectively enforced applicable laws regarding child labor. The Department of Labor, a unit of the Ministry of National Reconciliation in the Public Service, Labor, Information, and Ecclesiastical Affairs, did not conduct any inspections specifically related to child labor during the year; instead, the government relied on general labor inspections to identify any child labor violations. Covered under its trafficking-in-persons legislation, penalties for child labor could result in 20 years imprisonment.

Transparency in Government Procurement: St. Vincent and the Grenadines is not a signatory of the WTO Agreement on Government Procurement. Government procurement policies are generally open and transparent, and the United States is not aware of any non-competitive bidding procedures. St. Vincent and the Grenadines 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 the Caribbean Community. In 2018, St. Vincent and the Grenadines passed the Public Procurement Act No. 34., modernizing the country's legislative framework for public procurement.

Arbitral Awards: The United States is not aware of cases where St. Vincent and the Grenadines 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 any outstanding expropriation claims or nationalization of foreign enterprises in St. Vincent and the Grenadines.

Extradition: St. Vincent and the Grenadines signed an Extradition Treaty with the United States as part of the OECS in April 1996.

Implementation of the Inter-American Convention against Corruption (IACAC): St. Vincent and the Grenadines is party to the IACAC and acceded to the UN Convention against Corruption in 2001. In St. Vincent and the Grenadines, the law provides criminal penalties for official corruption, and the laws are generally implemented. The Director of Public Prosecutions has the authority to prosecute a number of corruption-related offenses. Corruption allegations are investigated by the Royal St. Vincent and the Grenadines Police Force. There is generally no statutory obligation for public officers to disclose financial information to a specific authority. However, if there are confiscation proceedings initiated or contemplated against a corrupt official, pursuant to the Proceeds of Crime Act, No. 38 of 2013, the courts can order disclosure of financial information. The Financial Intelligence Unit has the authority to conduct financial investigations with a court order.

Counter-narcotics Cooperation: The President has not identified St. Vincent and the Grenadines as a major drug transit or major illicit drug producing country under the provisions of the Foreign Relations Authorization Act. Drug production and drug transit continue to be concerns, given

limited law enforcement resources to patrol the coasts and borders of this 32-island nation. In addition, St. Vincent and the Grenadines remains vulnerable to money laundering and other financial crimes as a result of drug trafficking and its offshore financial sector. The country remains a small but active offshore financial center with a relatively large number of international business companies. U.S. currency is often smuggled into the country via couriers, go-fast vessels, and yachts. St. Vincent and the Grenadines has a robust civil cash forfeiture regime and funds are intercepted by Law Enforcement Officers at ports of entry, which are seized and handed over to the Financial Intelligence Unit (“FIU”) for further investigation leading to a detention order or a forfeiture order of the monies. In 2013, the Proceeds of Crime Act (“POCA”) was amended to provide for the civil recovery of all assets without need for a conviction.

Export Subsidies: The United States is unaware of any use of export subsidies or trade-distorting export performance or local content requirements.

Self-Help Measures: St. 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 St. Vincent and the Grenadines Authority (Invest SVG), the government facilitates FDI and maintains an open dialogue with current and potential investors. The government does not impose limits on foreign control, nor are there requirements for local involvement or ownership in locally registered companies.

Contribution to Regional Revitalization: St. Vincent and the Grenadines’ legislative framework, trade policies, and commitment to the World Trade Organization’s mandate for a multilateral trading system contribute to the revitalization of the Caribbean Basin Initiative and the region as a whole.

Cooperation in Administration of the CBERA: St. Vincent and the Grenadines continues to cooperate with the United States in the administration of the CBERA. The country has a demonstrated desire to promote FDI in industries that create jobs and earn foreign exchange.

Trinidad and Tobago

Economic Review: The United States maintains a persistent trade deficit with Trinidad and Tobago, 96 percent of which can be attributed to U.S. imports of liquefied natural gas and downstream energy products. Though the deficit increased slightly since the end of the last reporting period, overall, the deficit has steadily declined over the years, falling by 78 percent between 2007 and 2018. Trinidad and Tobago has been the leading beneficiary of CBERA.

Indicator	Latest Data
Population*	1,389,858 (2018)
GDP*	\$23,410,353,435 (2018)
GDP per capita*	\$16,843.70 (2018)
U.S. Exports**	\$2,115,732,609 (2018)
U.S. Imports**	\$3,668,169,753 (2018)
Trade Balance**	\$-1,552,437,144 (2018)

Source: The World Bank*; Department of Commerce 2018**

CBERA preferences have been critical to the success of certain exports, such as methanol, ethanol, and some manufactured goods.

Energy exploration and production drive the economy of Trinidad and Tobago. Oil and gas account for about 40 percent of GDP and 80 percent of exports, but only 5 percent of employment. However, production decreased in 2017 for the third consecutive year. Both downstream industry and the LNG exporter (Atlantic) are facing gas shortages, but the government has been working to increase production by opening bid rounds and providing fiscal incentives for investments in on-shore and deep water acreage to boost oil reserves and production. Declines in oil and gas prices have reduced government revenues, challenging the government's ability to maintain public spending, which has increased over the past several years.

Trinidad and Tobago is a high-income country with a GDP of \$22 billion [\$31,578 GDP per capita by purchasing power parity (World Bank 2017)]. Energy exploration and production drive the economy, and this sector has historically attracted the most FDI. Energy usually accounts for almost half of Trinidad and Tobago's GDP and 80 percent of export earnings. The country is slowly emerging from a recession that began in 2015 caused largely by decreasing oil and gas production that resulted from chronic underinvestment and an inefficient, state-run energy monopoly, combined with a 70 percent decline in global energy prices.

Diversifying Trinidad and Tobago's economy is an important medium-term objective for the country. Trinidad and Tobago's investment promotion agency highlights sectors like agriculture, tourism, technology, manufacturing, and maritime industries. Unfortunately, multiple factors, some policy-related (low labor productivity, inefficient port operations, stifling bureaucracy) and others geographic (a lack of arable land for agriculture, few scenic beaches for tourism) complicate significant growth in many of these sectors. Trinidad and Tobago ranks 105th in the 2019 World Bank Ease of Doing Business rankings (down from 79th in 2015).

Commitment to Undertake WTO Obligations and Participate in Negotiations toward the FTAA or Another FTA: Trinidad and Tobago has been a member of the WTO since 1995 and is an active participant in CARICOM. The United States has raised serious concerns that the country is not demonstrating a commitment to undertake its obligations under the WTO in full. At the

2019 WTO Trade Policy Review, the United States noted that Trinidad and Tobago's applied most favored nation rate exceeded the bound rate on 59 lines in 2018 (up from 50 in 2011). The United States is closely monitoring this situation and will consider appropriate action as needed.

Although it has submitted notifications under various WTO agreements, the WTO Secretariat noted at Trinidad and Tobago's 2019 Trade Policy Review that there are notifications that are not up to date. These include notifications relating to domestic support and export subsidies in agriculture; quantitative restrictions; customs valuation [relating to the Decision on Interest Charges (G/VAL/5, A.3) and the Decision on Carrier Media (G/VAL/5, A.4)]; applied tariff for 2018; import data for 2016; subsidies; and state trading enterprises. CARICOM's regional trade agreements with the Dominican Republic, Colombia, Cuba, and Costa Rica have not been notified to the WTO, nor has the regional trade agreement between Trinidad and Tobago and Panama. Trinidad and Tobago has not made any notifications under GATS Article III:3 or GATS Article III:4. In August 2018, Trinidad and Tobago adopted CARICOM Regional Standard 28 on poultry and poultry products but has yet to provide notification pursuant to the Agreement on the Application of Sanitary and Phytosanitary Measures. There are concerns with the scientific validity of Regional Standard 28 and USDA is engaging the appropriate authorities in Trinidad and Tobago at a technical level to address these issues.

Market Access/WTO Rules: The United States and Trinidad and Tobago concluded a bilateral investment treaty in 1994. U.S. consumer and manufacturing goods are readily available on the local market. While Trinidad and Tobago meets WTO requirements for equitable and reasonable access for U.S. goods and services to its market, U.S. companies cite bureaucratic challenges in obtaining permits, clearing goods through customs, and dealing with government ministries. Trinidad and Tobago in 2016 enacted a digital services tax of seven percent charged on the cost, insurance, and freight value of a good purchased by means of an electronic transaction that is imported by air transportation, consigned to a consumer, and entered from a transit shed. The United States remains very concerned with digital service taxes globally and continues to engage bilaterally with Trinidad and Tobago on this matter.

Reverse Preferences: Trinidad and Tobago does 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 EPA between the European Community and CARICOM Member States. While there are preferential trade policies enshrined within this agreement, they are not afforded to the products of a developed country.

Protection of Intellectual Property: U.S. right holders have reported that cable operators continue to air unlicensed content, including content from U.S. over-the-air broadcasts. The United States welcomes the announcement in 2019 by the Telecommunications Authority of Trinidad & Tobago (TATT) that it will start enforcing the concessions agreement that requires cable operators to respect IP and to obtain all required permissions from IP owners prior to broadcasting programs, information, and other material. TATT has conducted an audit of such operators, and the United States urges it to take enforcement action against non-compliant operators to remove unlicensed content. Weak enforcement of IP persists in other areas, including long delays in the civil court system, a lack of resources for criminal enforcement, and the widespread sale of counterfeit medicines. The United States is currently working with the Trinidad and Tobago

police force and its Intellectual Property Office to assist in the development and training of an interagency intellectual property task force. Following trade and investment discussions with Trinidad and Tobago over the Summer and Fall of 2019, the United States and Trinidad agreed to a work on a program to address the challenges of improving copyright enforcement, such as enforcement of the TATT concessions agreement, timely resolution of complaints to enforce copyright protections, and legislative changes to improve IP enforcement.

Provision of Internationally Recognized Worker Rights: Trinidad and Tobago has incorporated international norms into its worker rights laws and has ratified all eight of the ILO core labor conventions. The Industrial Relations Act (IRA) provides that all workers, including those in state-owned enterprises, may form and join independent unions, bargain collectively, and conduct legal strikes, but with some limitations. A union may also bring a request for enforcement to the Industrial Court, which may order employers found guilty of anti-union activities to reinstate workers and pay compensation, or impose other penalties including imprisonment.

By law, "essential services" employees, such as police and teachers, do not have the right to strike. Instead, union leaders organize "sick-outs" for such employees during labor disputes. The teachers' unions have staged this type of protest several times in years past. The ILO has recommended that Trinidad and Tobago amend the legislation to narrow the definition of "essential services."

The Trinidad and Tobago Constitution prohibits forced labor, as does the 2011 Trafficking in Persons Act. Upon conviction, perpetrators of forced labor are subject to a fine of at least \$75,000 and imprisonment for at least 15 years. The Counter-Trafficking Unit of the Ministry of National Security is responsible for investigating potential forced labor cases and referring cases for prosecution.

Wages and salaries vary considerably between industries in Trinidad and Tobago. The Minimum Wages Act of 2010 empowers the Minister of Labor to make minimum wage orders in relation to specific trades. The minimum hourly wage (exclusive of gratuities, service charges and commissions) was raised from TT\$12.50 to TT\$15.00 (approximately \$1.95 to \$2.34), effective January 1, 2015. Industry-specific orders govern relations to employees in the restaurant, catering, petrol station, security, shop, and household assistant trades. Under the Minimum Wages Act and Minimum Wages Order, the normal working hours exclusive of meals and rest breaks are eight hours per day or forty hours per week. Employees who are required to work beyond the normal hours are entitled to overtime, calculated in accordance with a formula outlined in the Order. The Ministry of Labor and Small and Micro Enterprise Development is responsible for enforcing laws related to acceptable conditions of work. The Occupational Safety and Health Agency enforces occupational health and safety standards. The government sets occupational health and safety regulations that apply to all workers, regardless of citizenship. Foreign laborers brought into the country are generally protected by local labor laws through a stipulation in their labor contract.

The Children Act of May 18, 2015 prohibits child labor. Exploitation of child labor in Trinidad and Tobago is not a widespread problem. The Miscellaneous Provisions (Minimum Age for Admission to Employment) Act, set the minimum age for employment at 16 years of age.

However, current legislation does not establish a clear minimum age for hazardous work. The government has not developed legislation on the prohibition of hazardous occupations and activities for children. The Ministry of Labor and Small and Micro Enterprise Development, is responsible for enforcing child labor laws. The International Labor Organization received no formal reports of forced labor during the reporting period.

The minimum age for employment in public and private industries is 16. Children ages 14 to 16 may work in activities in which only family members are employed or that the minister of education has approved as vocational or technical training. The law prohibits children younger than age 18 from working between the hours of 10 PM and 5 AM except in a family enterprise or within other limited exceptions. There is no clear minimum age for hazardous activities.

Commitments to Eliminate the Worst Forms of Child Labor: Trinidad and Tobago has several laws to eliminate the worst forms of child labor. The Children's Authority of Trinidad and Tobago, which is mandated to protect children's rights by the Children's Authority Act of 2000 and the Children's Authority (Amendment) Act of 2008, became fully operational in early 2015. The president partially proclaimed the Children Act on May 18, 2015, in an effort to strengthen legislative frameworks protecting the rights of children. This act also prohibits child labor.

In 2004, the government ratified ILO Convention 138, and in 2007, introduced the Miscellaneous Provisions (Minimum Age for Admission to Employment) Act, which declared the minimum age for employment at 16 years of age. In January 2013, the Trinidad parliament implemented the Trafficking in Persons Act, which criminalizes human trafficking. Provisions of that law address forms of exploitative child labor. However, current legislation does not establish a clear minimum age for hazardous work. The government has not developed legislation on the prohibition of hazardous occupations and activities for children. Additionally, the Government has not ratified the UN Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

Transparency in Government Procurement: Trinidad and Tobago is not a signatory to the WTO Agreement on Government Procurement. Public procurement processes suffer from widespread perceptions of corruption, anti-competitiveness, and a lack of transparency. Trinidad and Tobago is a member of the Open Government Partnership but has been suspended by the group for failure to submit action plans since 2014.

Issues regarding transparency in government procurement are an obstacle, though not prohibitive, in securing contracts in Trinidad and Tobago. U.S. companies have won government service contracts in recent years, but they identify non-transparent procedures, particularly in government procurement, as an impediment to FDI. Public tenders are often open for only a few days. Otherwise, contracts are frequently awarded outside the tender process in favor of specific vendors. There are more than 100 state-owned enterprises, each with varying procedures and requirements for the tendering process. No standardized procedures exist across all of these entities. The government is in the process of establishing standardized procedures and regulations for public procurement, but implementation has been stalled.

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: There are no known cases of Trinidad and Tobago nationalizing or expropriating the property of U.S. citizens.

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

Implementation of the Inter-American Convention against Corruption (IACAC): Trinidad and Tobago signed and ratified the IACAC in 1998. Bribes are sometimes paid to facilitate routine operation but are not common; however, reports of institutional corruption by law enforcement and large businesses are common in public fora and private meetings with government, the private sector, civil society, and the press.

Counter-narcotics Cooperation: While corruption and gaps in legislative and organizational implementation limit counternarcotic efforts, Trinidad and Tobago continues to adhere to its obligations under international counternarcotic agreements and to take the measures set forth in U.S. law. The Government of Trinidad and Tobago regularly interfaces with local, regional, and international organizations, demonstrating commitment to drug control through bilateral cooperation and intelligence sharing with countries of origin, transit, and destination.

Since being placed on the Financial Action Task Force's (FATF) list of jurisdictions with strategic deficiencies in its anti-money laundering (AML) and countering terrorism finance (CTF) regimes in November 2017, the government has worked to make substantial progress on its agreed action plan with FATF to remedy those deficiencies.

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

Export Subsidies: The WTO Secretariat noted at Trinidad and Tobago's May 2019 Trade Policy Review that exporters are eligible for a rebate amounting to 1.5 percent of the value of export sales. Trinidad and Tobago has not notified the WTO of this export subsidy and claims it is no longer in effect. Trinidad and Tobago last notified the WTO on agricultural subsidies in 2015 for the period 2007-13. The government, however, contends that it does not utilize export subsidies on agricultural products nor subsidies that favor the use of domestic agriculture products over imports.

Self-Help Measures: In the World Bank's Ease of Doing Business rankings, the country fell from 79th place in 2015 to 105th in the 2019. Although the country has long recognized the need to

diversify its economy away from petrochemicals and entice FDI to other sectors, successive governments have not achieved this goal. With energy revenues lower than in the past, there is less funding available to assist diversification efforts, and less political will to do so with an election due by the end of 2020.

Contribution to Regional Revitalization: Trinidad and Tobago has taken the lead in implementing the CARICOM Single Market Economy (CSME), which launched in January 2006. Implementation has stalled, though Trinidad and Tobago continues to press for progress, particularly in the free movement of labor.

Cooperation in Administration of the CBERA: Trinidad and Tobago actively engaged with USTR on administration of CBERA during the reporting period. In 2019, Trinidad and Tobago and the United States developed a work program aimed at satisfying compliance with the CBERA intellectual property criteria.

VI. Summary of Public Comments

One company, one organization, and six governments 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 25, 2019. The full text of these submissions are available for review at the *Regulations.gov* website, under docket number USTR-2019-0007.

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

AMCHAM T&T advocates for the re-authorization of the CBI, which it states deepens Trinidad and Tobago's relationship with the United States, thereby creating economic opportunity and reducing crime. AMCHAM T&T notes Trinidad and Tobago's efforts to improve compliance with CBI criteria, including intercepting counterfeit imports and passing new anti-corruption legislation. Further, AMCHAM T&T stresses Trinidad and Tobago's continued efforts to address broadcast licensing violations and success in not being included in USTR's Watch List since 2016.

HBO Latin America (HBO LA)

HBO LA raises concerns that several CBI beneficiary countries do not meet eligibility criteria related to protection and enforcement of intellectual property. HBO LA notes that the primary issue across countries lies in effective enforcement of existing laws rather than in inadequate laws. HBO LA requests that the United States deny CBI trade preferences to non-compliant countries until progress is made to address violations such as broadcast piracy and illegal streaming that negatively impact HBO LA's business operations.

Government of Barbados

The Government of Barbados notes the vital role the CBI program plays in improving the competitiveness of Barbadian exports and maintaining ties between Barbados and its diaspora. Barbados reiterates its commitment to the ideals embedded in the CBI eligibility criteria and highlights the efforts the country has made to improve compliance. In 2019, these measures include preparations for accession to the WIPO Internet Treaties and the appointment of an Advisory Committee on Intellectual Property by the Cabinet of Barbados.

Government of Belize

The Government of Belize provides an update on actions taken by the country to improve compliance with CBI criteria. Belize has prioritized protecting intellectual property and strengthening labor rights. In 2018, Belize acceded to six international agreements on intellectual property, and the Belize Cable Television Operators Associations (BCTVOA) signed distribution contracts with American licensors, legalizing cable operations. Since 2018, Belize participates in the USDOL-funded CLEAR II project, which seeks to reduce incidences of child labor.

Government of St. Vincent and the Grenadines

The Government of St. Vincent and the Grenadines affirms its appreciation of and support for the continuation of CBI. The country notes an increase in exports to the United States of 77% during the reporting period, most of which it believes entered the United States under CBERA or other duty free arrangements. The country describes efforts to improve compliance with CBI criteria during the reporting period, notably in the areas of government procurement, intellectual property, and financial regulation.

Government of Guyana

The Government of Guyana emphasizes its appreciation for the CBI program and its role in facilitating Guyanese companies' access to the U.S. market. Guyana reports on various efforts to improve compliance with eligibility criteria, such as a draft copyright bill that Guyana expects will support enforcement action. Additional initiatives include increasing counter-narcotics collaboration with the United States, establishing a fund to improve management of natural resource wealth, and developing new workplace safety regulations.

Government of Jamaica

The Government of Jamaica emphasizes the importance of its longstanding and mutually beneficial trading relationship with the United States and the role of CBI in reinforcing that relationship. The country notes that exports to the United States increased by \$94.4 million between 2016 and 2018, and that CBI has contributed to the diversification of Jamaican exports to the United States. Jamaica reports that the passage of new intellectual property legislation has been accorded high priority and believes that audits reveal significant improvement in copyright compliance during the reporting period.

Government of the Republic of Trinidad and Tobago

The Government of Trinidad and Tobago reaffirms its commitment to strategic cooperation with the United States under CBI. The country notes that the United States remained the country's largest trading partner for both exports and imports during the reporting period. Trinidad and Tobago reports recent efforts to improve compliance in the areas of intellectual property, worker rights, counter-narcotics, and government procurement. Regarding intellectual property protection, Trinidad and Tobago highlights the launch of a national Intellectual Property Library, collaboration with international organizations, implementation of public awareness campaigns, and increased prosecution of violators.

Appendix

U.S. Imports from CBI countries by Selected Import Programs, 2016-2018 and January-August 2018 and 2019 ¹											
Country	Import Program	2016		2017		2018		2018 January-August		2019 January-August	
		Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total
Antigua and Barbuda	CBERA	37	0.2	161	1.6	19	0.4	19	0.7	14	0.2
	Otherwise duty-free	14,657	94.9	8,455	86.0	4,020	91.0	2,469	89.4	4,816	69.6
	Dutiable imports	754	4.9	1,218	12.4	376	8.5	273	9.9	2,092	30.2
	Total	15,448	100.0	9,834	100.0	4,416	100.0	2,760	100.0	6,922	100.0
Aruba	CBERA	15	0.1	36	0.1	16	0.1	12	0.1	17	0.1
	Otherwise duty-free	15,331	94.8	29,731	96.4	25,552	83.5	17,214	78.0	12,546	96.7
	Dutiable imports	827	5.1	1,086	3.5	5,038	16.5	4,839	21.9	415	3.2
	Total	16,172	100.0	30,853	100.0	30,606	100.0	22,065	100.0	12,978	100.0
The Bahamas	CBERA	68,403	23.1	79,744	18.6	66,181	18.1	41,924	21.0	45,023	16.9
	Otherwise duty-free	192,967	65.1	308,702	72.2	234,705	64.2	120,245	60.1	199,018	74.9
	Dutiable imports	35,250	11.9	39,149	9.2	64,465	17.6	37,916	19.0	21,646	8.1
	Total	296,621	100.0	427,595	100.0	365,351	100.0	200,086	100.0	265,687	100.0
Barbados	CBERA	2,321	4.7	3,558	7.4	7,453	14.1	3,468	10.5	3,512	12.5
	Otherwise duty-free	42,096	86.1	39,204	81.6	38,881	73.4	27,451	83.4	23,086	82.4
	Dutiable imports	4,469	9.1	5,272	11.0	6,662	12.6	1,977	6.0	1,424	5.1
	Total	48,886	100.0	48,034	100.0	52,996	100.0	32,896	100.0	28,022	100.0
Belize	CBERA	17,136	29.1	12,398	4.5	10,676	4.7	10,187	4.9	10,208	24.6
	CBTPA	0	0.0	0	0.0	4,533	2.0	4,533	2.2	6,401	15.4
	GSP	4,703	8.0	15,204	5.5	10,749	4.7	10,568	5.1	6,292	15.2
	Otherwise duty-free	34,407	58.4	244,713	88.7	191,228	84.4	178,253	85.5	17,524	42.2
	Dutiable imports	2,660	4.5	3,638	1.3	9,317	4.1	4,908	2.4	1,057	2.5
	Total	58,907	100.0	275,953	100.0	226,503	100.0	208,449	100.0	41,482	100.0
British Virgin Islands	CBERA	9	0.0	0	0.0	22	0.1	17	0.0	11	0.4
	Otherwise duty-free	29,556	95.3	5,007	77.0	16,149	83.1	15,336	20.5	2,201	77.9
	Dutiable imports	1,450	4.7	1,492	23.0	3,261	16.8	3,009	4.0	613	21.7
	Total	31,015	100.0	6,499	100.0	19,433	100.0	18,361	24.6	2,825	100.0

Country	Import Program	2016		2017		2018		2018 January-August		2019 January-August	
		Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total
Curacao	CBERA	85	0.0	124	0.1	119	0.1	114	0.2	5	0.0
	Otherwise duty-free	212,839	78.3	133,523	88.6	50,992	48.6	21,326	28.5	46,025	95.5
	Dutiable imports	59,012	21.7	16,981	11.3	53,915	51.3	53,273	71.3	2,161	4.5
	Total	271,936	100.0	150,628	100.0	105,027	100.0	74,713	100.0	48,191	100.0
Dominica	CBERA	22	0.9	48	4.3	36	2.7	4	0.3	25	1.5
	GSP	31	1.2	0	0.0	0	0.0	0	0.0	0	0.0
	Otherwise duty-free	2,258	86.4	924	82.5	923	69.9	821	72.3	1,499	92.3
	Dutiable imports	302	11.6	148	13.2	361	27.4	310	27.3	101	6.2
	Total	2,614	100.0	1,121	100.0	1,320	100.0	1,136	100.0	1,624	100.0
Grenada	CBERA	1,809	14.5	2,405	20.1	2,912	19.8	1,451	13.0	1,870	18.6
	GSP	15	0.1	46	0.4	107	0.7	55	0.5	40	0.4
	Otherwise duty-free	9,748	78.3	8,785	73.3	10,631	72.4	8,930	79.9	7,565	75.1
	Dutiable imports	884	7.1	750	6.3	1,029	7.0	743	6.6	602	6.0
	Total	12,457	100.0	11,986	100.0	14,679	100.0	11,179	100.0	10,076	100.0
Guyana	CBERA	1,158	0.3	732	0.2	849	0.3	475	0.2	1,030	1.1
	CBTPA	393	0.1	0	0.0	2	0.0	2	0.0	0	0.0
	GSP	10,885	2.5	4,006	1.3	10,841	4.3	7,587	3.6	3,980	4.2
	Otherwise duty-free	419,968	96.8	307,046	98.0	239,144	94.7	203,505	95.6	88,208	93.8
	Dutiable imports	1,574	0.4	1,685	0.5	1,694	0.7	1,217	0.6	867	0.9
	Total	433,978	100.0	313,469	100.0	252,530	100.0	212,786	100.0	94,085	100.0
Haiti	CBERA	12,796	1.4	17,144	1.9	12,949	1.3	11,189	1.7	13,812	1.9
	CBTPA	305,044	34.1	277,877	30.3	284,482	28.3	196,334	29.8	185,235	25.4
	GSP	655	0.1	1,153	0.1	1,114	0.1	910	0.1	1,107	0.2
	HOPE Acts ²	295,030	32.9	420,535	45.9	649,053	64.5	414,077	62.8	487,368	66.7
	Otherwise duty-free	34,239	3.8	36,806	4.0	49,228	4.9	33,317	5.1	36,883	5.1
	Dutiable imports	247,678	27.7	162,336	17.7	9,381	0.9	3,601	0.5	5,745	0.8
	Total	895,443	100.0	915,851	100.0	1,006,207	100.0	659,428	100.0	730,151	100.0

Country	Import Program	2016		2017		2018		2018 January-August		2019 January-August	
		Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total	Thousand \$	% of Total
Jamaica	CBERA	74,571	25.0	72,762	21.7	83,740	22.3	52,109	21.7	58,654	22.6
	GSP	11,315	3.8	10,965	3.3	8,918	2.4	7,443	3.1	2,584	1.0
	Otherwise duty-free	205,693	69.1	246,024	73.4	278,353	74.0	176,684	73.6	182,016	70.2
	Dutiable imports	6,281	2.1	5,260	1.6	5,337	1.4	3,919	1.6	16,021	6.2
	Total	297,860	100.0	335,011	100.0	376,348	100.0	240,155	100.0	259,274	100.0
Montserrat	GSP	0	0.0	20	1.9	0	0.0	0	0.0	0	0.0
	Otherwise duty-free	425	79.2	679	67.3	1,027	87.2	783	85.9	987	86.1
	Dutiable imports	111	20.8	310	30.7	151	12.8	128	14.1	159	13.9
	Total	536	100.0	1,009	100.0	1,178	100.0	911	100.0	1,147	100.0
St. Kitts and Nevis	CBERA	7,158	14.6	5,083	10.7	5,076	9.8	3,482	9.9	2,866	8.9
	Otherwise duty-free	17,542	35.8	17,609	37.1	21,379	41.3	15,284	43.5	15,241	47.1
	Dutiable imports	24,267	49.6	24,747	52.2	25,282	48.9	16,350	46.6	14,267	44.1
	Total	48,968	100.0	47,439	100.0	51,737	100.0	35,117	100.0	32,374	100.0
Saint Lucia	CBERA	627	5.5	342	3.3	373	3.7	266	3.6	238	3.2
	GSP	134	1.2	181	1.7	187	1.8	119	1.6	223	3.0
	Otherwise duty-free	8,234	71.8	9,318	89.4	9,132	90.1	6,653	90.7	6,642	89.7
	Dutiable imports	2,479	21.6	582	5.6	438	4.3	296	4.0	305	4.1
	Total	11,474	100.0	10,424	100.0	10,130	100.0	7,334	100.0	7,408	100.0
St. Vincent and the Grenadines	CBERA	45	1.5	102	2.1	22	0.4	22	0.7	77	2.2
	GSP	41	1.3	29	0.6	37	0.7	28	0.9	18	0.5
	Otherwise duty-free	2,298	75.2	4,492	91.6	4,844	92.1	2,671	88.4	3,228	90.8
	Dutiable imports	673	22.0	282	5.8	356	6.8	301	10.0	233	6.6
	Total	3,057	100.0	4,905	100.0	5,259	100.0	3,022	100.0	3,556	100.0
Trinidad and Tobago	CBERA	292,511	10.2	421,919	13.1	496,443	14.2	362,697	15.9	32,648	1.4
	CBTPA	86,506	3.0	65,926	2.1	55,388	1.6	48,643	2.1	23,668	1.0
	Otherwise duty-free	2,106,782	73.3	2,083,052	64.9	2,294,482	65.6	1,451,008	63.8	1,572,428	68.8
	Dutiable imports	388,495	13.5	638,929	19.9	650,094	18.6	412,415	18.1	655,242	28.7
	Total	2,874,294	100.0	3,209,826	100.0	3,496,407	100.0	2,274,763	100.0	2,283,987	100.0

¹ Imports for consumption, customs value. U.S. Virgin Islands imports not included. Data for U.S. imports and exports for 2017 and 2018 have been updated as of July 1, 2019 based on the latest official revisions from the Census Bureau (the first official revisions for 2019 data will not be available until June 2020).

² Estimate derived from the U.S. Department of Commerce (OTEXA) data (accessed November 4, 2019). Data reflect all official OTEXA revisions for 2016-2019 as of that date.

