

The Caribbean Community Preferential Trade Agreement

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Valorisation Addendum

1. Relevance. What is the social and/or economic relevance of your research results (i.e. in addition to the scientific relevance)?

The relevance of the research results contained in this dissertation lay in the fact that it provides a valuable record of the legal, political and economic history of regional integration in the Caribbean. Uniquely, regional integration in the Caribbean was bookmarked by the forces of decolonization and globalization. The other former colonial regions in Africa and Asia both attempted regional integration well after gaining independence from the various imperial powers. Thus, it must be recalled that the initial pivot to regional integration by the then British Caribbean territories, which eventually became Caribbean Community (CARICOM) Member States, was as a result of their quest for sovereignty and the right to determine their own post-colonial development path. In this vein, the research results map the twin forces of decolonization and globalization and their legal, political and economic effect on the small, developing countries of the CARICOM region as they continue their regional integration process. Despite the lasting imprint of colonial trade policy and the modern-day policy confines of the rules-based multilateral trading system (MTS), regional integration in the Caribbean is still largely aimed at the improvement of the Caribbean economic condition and the determination of the Caribbean development path. The research results capture how the use of regional integration, as an instrument, is still assisting the CARICOM Member States with this ambition in a changing international system.

Furthermore, the research results contained in this dissertation provide an assessment of the CARICOM preferential trade agreement (PTA). It is noted that the economic history of the CARICOM region, which contributed to an export-oriented model for trade in agricultural goods, requires an urgent rethink given the limited availability of preferential export markets. In addition to this, the highlighted shortcomings of CARICOM intra-regional trade policy, which have resulted in the volume of trade flows remaining at a de-

minimis level after fifty years of trade liberalization efforts, can assist in contextualizing present and future trade policy considerations. The research results also demonstrate that despite the dismal record on the generation of intra-regional trade, the CARICOM PTA is a beneficial platform for its constituents especially given the interdependent nature of the wider international system. Nevertheless, the main economic policy recommendation emanating from this dissertation remains clear: a general policy shift is required if the CARICOM Member States intend to produce and market tradable goods within the CARICOM intra-regional market.

2. Target Groups. To Whom, in addition to the academic community, are your research results of interest and why?

The research results contained in this dissertation are of interest to multiple target groups: Caribbean regional policymakers, political actors at the national level in the various CARICOM Member States, Caribbean legal professionals and Caribbean private sector actors. Although existing literature has addressed the chronological development of regional integration in the Caribbean, few have addressed the subject through the analytical lens of wider developments in the MTS. Even fewer have focused on the legal requirements of the CARICOM PTA and how its evolved legal competences have contributed to the continuous development of regional integration in the Caribbean. Generally speaking, the findings of this research present an opportunity for the aforementioned target groups to become further informed on legal and policy aspects of PTAs (as a feature of the MTS) as well as the history of regional integration in the Caribbean and the underlying reasons why its policy structures have not resulted in the creation of meaningful trade flows among the participating CARICOM Member States.

For the Caribbean regional policymakers, the research results contained in Chapter 7 (CARICOM: The External Dimension) and Chapter 8 (Conclusions and Recommendations), offer perspectives on the non-trade related benefits derived from the CARICOM PTA and how the trade can be improved upon within the existing policy structures of the CARICOM PTA. Such perspectives are timely given that at present in

2018, there is an ongoing debate within the CARICOM region on whether the regional integration process is achieving its stated purpose and possible options going forward. For the political actors at the national level in the various CARICOM Member States, a fuller understanding of regional integration in the Caribbean can be had from the research results contained in Chapter 4 (The Evolution of Regional Integration in the Caribbean) and Chapter 5 (CARICOM intra-regional Trade). This is particularly noteworthy given that political actors tend to possess diverse backgrounds and might not be particularly au fait with the overall aims and instruments of regional integration in the Caribbean.

With respect to Caribbean legal professionals, it is submitted that engaging with the research results contained in Chapter 2 (Legal Design of Preferential Trade Agreements: GATT Article XXIV and the Enabling Clause) and Chapter 3 (Management: The Institutional Regulation of Preferential Trade Agreements) will provide a background on the multilateral trade rules underpinning the establishment of PTAs and how the CARICOM regional trade arrangement fits into the wider legal architecture of the MTS. This is especially useful for Caribbean legal professionals given that the original jurisdiction of the Caribbean Court of Justice (CCJ) functions as an international trade tribunal, which utilizes WTO law when adjudicating on legal matters pertaining to the intra-regional (internal) market created by the CARICOM PTA. The research results contained in Chapter 5 (CARICOM intra-regional Trade) and Chapter 6 (Case Study on Belize) are relevant to Caribbean private sector actors as it provides further information on the trade flow dynamic present in the CARICOM intra-regional market. The select trading profiles of various CARICOM Member States can provide a primer outlining possible export markets within the CARICOM intra-regional market. As noted in the dissertation, many private sector actors (particularly in Belize) have not considered trading on the intra-regional market due to an insular approach to business driven solely by the needs of the immediate domestic market.

3. Activities/Products. Into which concrete products, services, processes, activities or commercial activities will your results be translated and shaped?

Several chapters of the research results contained in this dissertation have been utilized to create a semester syllabus for a specialized, English-language, post-graduate course focusing on certain aspects of international trade law. This post-graduate course is currently being offered by the Slovak Diplomatic Academy at the Comenius University in Bratislava (Faculty of Law) in Bratislava, Slovakia. The post graduate course is one of several legal courses offered and is intended to provide a backgrounder to students of the Slovak Diplomatic Academy, who aspire to join the Slovak Foreign Service. The post-graduate course lectures are being delivered by the author of this PhD dissertation.

In this regard, certain aspects of Chapter 1 of the dissertation have been used to assist with a general introduction to the MTS and to assert the centrality of the multilateralism. Certain aspects of Chapters 2, 3 and 4 have also been used to introduce the legal exceptions (GATT Article XXIV and The Enabling Clause) which underpin the establishment of PTAs. In addition to this, the legal requirements and institutional regulation of PTAs is also addressed. The aforementioned information has aided in contextualizing the tension between multilateral trade and preferential trade and how both are legally situated in light of the objectives of the World Trade Organization (WTO) Agreement.

Furthermore, certain aspects of Chapter 1 of the dissertation have been used to provide background information on the Treaty of Rome and the historical circumstances that led to the creation of the then European Economic Community (EEC). Also addressed is the continued unfolding of regional integration in Europe and the existing legal arrangements from which the UK will have to extricate itself. Lastly, certain aspects of Chapters 4 and 5 have been utilized to provide an illustration of the unfolding of regional integration outside of the European context. Many of the legal arrangements pertaining to the CARICOM PTA and peculiarities of a small, developing country region is discussed.

In addition to this, several parts of the research results contained in this dissertation are intended to be published as newspaper and journal articles.

4. Innovation. To what degree can your results be called innovative in respect to the existing range of products, services, processes, activities and commercial activities?

The research results contained in this dissertation can be considered innovative as they provide a detailed record of the history of PTAs and their evolution within the rules-based MTS. This is noteworthy given the existential crossroads at which the MTS now finds itself. This existential crossroads has been characterized by the continued growth of PTAs, the inability of WTO Members to successfully advance key issues during multilateral negotiating rounds and the open questioning of the usefulness of the WTO as an institution. Is the MTS at a tipping point beyond which the majority of global trade will be conducted mainly under preferential terms among select groups of WTO Members? Will multilateral trade liberalization become the exception as opposed to the rule? For the time being, this remains unknown. It is clear, however, that a more discriminatory and preferential approach to trade continues to gain traction among WTO Members. Given this, it is worthwhile to know and understand the path that PTAs have travelled since the drafting of the General Agreement on Tariffs and Trade (GATT) 1947.