



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 7 July 2008  
(OR. en)**

**7507/08  
ADD 2**

**ACP 35  
WTO 45  
COLAT 8  
RELEX 170**

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**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject :       Annexes I to III to the Economic Partnership Agreement between the  
CARIFORUM States, of the one part, and the European Community and its  
Member States, of the other part

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**EXPORT DUTIES****Guyana <sup>1</sup>**

Precious stones other than cut and polished stones (HS 71.01)	USD 3.00 per metric carat
Bauxite, calcined (HS 2606.00.10)	USD 0.45 per tonne
Bauxite, other (HS 2606.00.90)	USD 0.45 per tonne
Unrefined cane sugar (as classified in tariff heading No. 1701)	USD 1.00 per tonne
Greenheart, round piling and hewn (HS 4403.99.10)	USD 0.29 per m <sup>3</sup>
Greenheart, sawn (HS 4407.29.20)	USD 5.0 per m <sup>3</sup>
Aquarium fish (HS 0301.10.90)	5 percent
Molasses (HS 17.03)	USD 1.00 per 100 litre

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<sup>1</sup> See page 620 of Guyana HS 2007 Tariff.

Suriname

44.03	Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared.	Round not stripped of bark	Stripped of bark on square form
4403.10.00	Treated with paint, stains, cresote or other preservatives:		
4403.10.10	Of coniferous species		5 percent
4403.10.20	Of mahogany		5 percent
4403.10.90	Of other non-coniferous species		5 percent
4403.20.00	Other, coniferous		5 percent
	Other, of tropical wood specified in subheading Note 1 to this Chapter:		
4403.41.00	Dark Red Meranti, Light Red Meranti and Meranti Bakau	20 percent	10 percent
4403.49.00	Other:		
4403.49.10	Mahogany	20 percent	10 percent
4403.49.90	Other	20 percent	10 percent
4403.99.00	Other:		
4403.99.10	Of greenheart	20 percent	10 percent
4403.99.90	Other	20 percent	10 percent

44.04	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrellas, tool handles or the like; chipwood and the like.	
4404.10.00	Coniferous:	
4404.10.10	Split poles, piles, pickets, stakes and sticks	5 percent
4404.10.90	Other	5 percent
4404.20.00	Non-coniferous:	
4404.20.10	Split poles, piles, pickets, stakes and sticks, of greenheart	5 percent
4404.20.20	Split poles, piles, pickets, stakes and sticks, of other wood	5 percent
4404.20.90	Other	5 percent

44.06	Railway or tramway sleepers (cross-ties) of wood.	
4406.10.00	Not impregnated	5 percent
4406.90.00	Other	5 percent

**CUSTOMS DUTIES ON PRODUCTS  
ORIGINATING IN CARIFORUM STATES**

1. Without prejudice to paragraphs 2, 4, 5, 6 and 7 customs duties of the EC Party (hereinafter "EC customs duties") shall be entirely eliminated on all products of Chapters 1 to 97 of the Harmonized System, except those of Chapter 93 thereof, originating in a CARIFORUM State upon the entry into force of this Agreement. For products of Chapter 93 the EC Party shall continue to impose the applied MFN duties.
2. EC customs duties on the products of tariff heading 1006 originating in the CARIFORUM States shall be eliminated as from 1 January 2010, with the exception of EC customs duties on the products of subheading 1006 10 10 which shall be eliminated as from the entry into force of this Agreement. Until EC customs duties on the products of tariff heading 1006 originating in the CARIFORUM States are entirely eliminated, a tariff rate quota at zero duty of 187 000 tonnes shall be opened for calendar year 2008 for all products of tariff heading 1006 except for subheading 1006 10 10 originating in the CARIFORUM States. The tariff rate quota for calendar year 2009 shall be 250 000 tonnes.

3. The EC Party and the Signatory CARIFORUM States agree that the provisions of Protocol 3 of the Cotonou Agreement (hereinafter the "Sugar Protocol") shall remain applicable until 30 September 2009, and that after that date the Sugar Protocol shall no longer be in force between them. For the purposes of Article 4(1) of the Sugar Protocol, the delivery period 2008/9 will last from 1 July 2008 to 30 September 2009. The guaranteed price for 1 July-30 September 2009 shall be decided following the negotiation provided for in Article 5(4).
4. EC Customs duties on products of tariff heading 1701 originating in a CARIFORUM State shall be eliminated as from 1 October 2009. Until EC customs duties are entirely eliminated, and in addition to the allocations of tariff rate quotas at zero duty set out in the Sugar Protocol, a tariff rate quota at zero duty of 60 000 tonnes shall be opened for marketing year <sup>1</sup> 2008/2009 for products of subheading 1701, white sugar equivalent, originating in the CARIFORUM States, 30 000 tonnes of which will be reserved for the Dominican Republic. No import license shall be granted with regard to products to be imported under this additional tariff rate quota, unless the importer undertakes to purchase such products at a price at least equal to the guaranteed prices fixed for sugar imported into the EC Party under Sugar Protocol.

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<sup>1</sup> For the purpose of paragraphs 4, 5, 6 and 7 "marketing year" means the period between 1 October and 30 September.

5. (a) The EC Party may, during the period between 1 October 2009 and 30 September 2015 impose the applied Most Favoured Nation duty on the products originating in CARIFORUM States of tariff heading 1701 sugar imported in excess of the following levels expressed in white sugar equivalent, which are deemed to cause a disturbance in the EC Party sugar market:
- (i) 3,5 million tonnes in a marketing year of such products originating in States members of the African, Caribbean and Pacific Group of States (ACP States) signatory to the Cotonou Agreement, and
  - (ii) 1,38 million tonnes in marketing year 2009/2010 of such products originating in ACP States that are not recognised by the United Nations as least developed countries. The figure of 1,38 million tonnes shall increase to 1,45 million tonnes in marketing year 2010/2011, and 1,6 million tonnes in the following four marketing years.

- (b) The importation of products of tariff heading 1701 originating in any CARIFORUM State that is recognised by the United Nations as a least developed country shall not be subject to the provisions of sub-paragraph 5(a). However, such imports shall remain subject to the provisions of Article 25 of the Agreement<sup>1</sup>.
  - (c) The imposition of the applied Most Favoured Nation duty shall cease at the end of the marketing year during which it was introduced.
  - (d) Any measure taken pursuant to this paragraph shall be notified immediately to the CARIFORUM-EC Trade and Development Committee and shall be the subject of periodic consultations within that body.
6. As of 1 October 2015, for the purpose of the application of the provisions of Article 25 of the Agreement, disturbances in the markets of products of tariff heading 1701 may be deemed to arise in situations where the European Community market price of white sugar falls during two consecutive months below 80 percent of the European Community market price for white sugar prevailing during the previous marketing year.

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<sup>1</sup> For this purpose and by way of derogation to Article 25 of the Agreement, individual Signatory CARIFORUM State recognised by the United Nations as a least developed country may be subject to safeguard measures.

7. From 1 January 2008 until 30 September 2015 products of tariff heading 1704 90 99, 1806 10 30, 1806 10 90, 2106 90 59 and 2106 90 98 shall be subject to a special surveillance mechanism in order to ensure the arrangements provided for in paragraph 4 and 5 are not circumvented. In the event of a cumulative increase of imports of such products originating in CARIFORUM States by more than 20 percent in volume during a period of 12 consecutive months compared to the average of the yearly imports over the three previous 12 month periods, the EC Party shall analyse the pattern of trade, the economic justification and the sugar content of such imports and, if it considers that such imports are used to circumvent the arrangements provided for in paragraphs 4 and 5, it may suspend the preferential treatment and introduce the specific MFN duty applied to imports pursuant to the European Community Common Customs Tariff for products of tariff heading 1704 90 99, 1806 10 30, 1806 10 90, 2106 90 59 and 2106 90 98 originating in CARIFORUM States. Sub-paragraphs 5(b), (c) and (d) shall apply mutatis mutandis to action under this paragraph.
8. Between 1 October 2009 and 30 September 2012 with regard to the products of tariff heading 1701, no preferential import license shall be granted unless the importer undertakes to purchase such products at a price not lower than 90 percent of the reference price set by the EC Party for the relevant marketing year.
9. Paragraph 1 shall not apply to products of tariff heading 0803 0019 originating in CARIFORUM States and released for free circulation in the outermost regions of the EC Party. Paragraph 1, 3 and 4 shall not apply to products of tariff heading 1701 originating in CARIFORUM States and released for free circulation in the French outermost regions. These provisions shall be applicable for a period of ten years. This period shall be extended for a further period of ten years unless the Parties agree otherwise.

CUSTOMS DUTIES ON PRODUCTS  
ORIGINATING IN THE EC PARTY

All products falling under the HS 6 headings indicated in this Annex and originating in the EC Party shall not, on their importation into the CARIFORUM States, be subject to customs duties higher than those indicated in this Annex for the corresponding HS 6 heading as of the dates indicated herein, unless otherwise specified.

Where a different rate is applicable on importation to a specific Signatory CARIFORUM State, such rate is indicated below the general rate.

The Signatory CARIFORUM States are referred to as follows:

ATG	Antigua and Barbuda
BHM	The Bahamas
BRB	Barbados
BEL	Belize
DMA	Dominica
DOM	Dominican Republic
GRD	Grenada
GUY	Guyana
HAI	Haiti
JAM	Jamaica
KNA	Saint Christopher and Nevis
LCA	Saint Lucia
VCT	Saint Vincent and the Grenadines
SUR	Suriname
TTO	Trinidad and Tobago

Where a product falling under the HS 6 headings indicated in this Annex is excluded from liberalisation the term "Excl" is indicated in this Annex.

Where an HS numerical code is qualified by the term "Ex" linked to a specific description, the associated customs duty rate applies only to products falling under the specific description.

Products of Chapter 93 of the Harmonized System shall not be subject to this Annex.

The Signatory CARIFORUM States agree not to increase their applied customs duties in excess of the levels applied at the time of signature of this Agreement for the products subject to liberalisation as covered by this Annex.

Schedule of tariff liberalisation of the CARIFORUM States

[Note to OJ: please insert the schedule of tariff liberalisation from doc. 7507.EN08 ad05-ad31. This appendix is drawn up only in English! The English text should be used in all language versions]

**Tariff rate quota for milk powder  
in the Dominican Republic**

With respect to goods of tariff headings 040210, 040221 and 040229 originating in the EC Party the Dominican Republic shall allow the importation of the quantities in metric tonnes indicated in column A upon payment of the ad valorem customs duty indicated in column B for the periods indicated in column C.

A	B	C
22,400	20	1 July 2008-30 June 2009
22,400	20	1 July 2009-30 June 2010
22,400	20	1 July 2010-30 June 2011
22,400	20	1 July 2011-30 June 2012
22,400	20	1 July 2012-30 June 2013
22,400	20	1 July 2013-30 June 2014
22,400	20	1 July 2014-30 June 2015
22,400	20	1 July 2015-30 June 2016
22,400	20	1 July 2016-30 June 2017
22,400	20	1 July 2017-30 June 2018
22,400	18	1 July 2018-30 June 2019
22,400	16	1 July 2019-30 June 2020
22,400	11	1 July 2020-30 June 2021
22,400	5	1 July 2021-30 June 2022
22,400	0	1 July 2022-30 June 2023
Unlimited	0	1 July 2023 and thereafter

The EC party will manage this tariff rate quota according to a mechanism of export licenses as established by the European Community regulations. The EC Party shall endeavour to allocate a reasonable proportion of the in-quota quantities to new entrants, if any.

The EC Party shall inform the Dominican Republic of any existing or foreseen difficulty in supplying the quantities indicated in column A. If the EC Party cannot supply such quantities, the Dominican Republic shall have the right to reallocate the unused quantities of the tariff rate quota among other suppliers if the supply problem is not resolved in a two-month period, following the EC Party notification of such supply difficulty.

The provisions of this Appendix are without prejudice to the commitments contained in the WTO agricultural schedule of the Dominican Republic (Schedule XXIII, Annex to the Protocol of Marrakech) and replace the provisions of the Memorandum of Understanding between the European Community and the Dominican Republic on import protection for milk powder in the Dominican Republic, published in the Official Journal of the European Communities, L 218/46 of 6 August 1998.

Customs duties on goods of tariff headings 040210, 040221 and 040229 originating in the EC Party and imported into the Dominican Republic in excess of the quantities indicated in column A shall be no higher than the customs duties indicated for such products in Annex III.

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