

Monitoring the EU-CARIFORUM EPA:

Where are we and what are the next steps?

FINAL DRAFT

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This is the final draft of the study. Nonetheless, comments are still very much welcome. Please get in touch with GIZ (Matthias.Bresser@giz.de).

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Executive Summary

Since the EU-CARIFORUM Economic Partnership Agreement (EPA) was signed in 2008 there is a sense on both sides that only limited implementation has taken place. Consequently, there is very little systematic evidence regarding its impact. With commitments made to monitor the EPA in the text and a general desire across a range of actors to understand what effect, if any, the EPA is having, it is important that measures be taken to establish a system to monitor EPA implementation and impacts. This study provides an overview of where the monitoring discussion stands, suggestions of what a monitoring system might entail and some concrete steps to move the process forward.

The study reaches the following recommendations regarding the process towards an efficient, effective and inclusive monitoring system:

- Above all, decisions on what a monitoring system should look like and how it should operate must be taken collectively among the relevant stakeholders – this document only presents some introductory issues for consideration.
- The requirements of an EPA monitoring system can be examined through four dimensions: objectives, scope, actors & institutions, and methodology. Each is addressed in turn below.
- Before defining what to monitor, it is important to agree on the purpose of the monitoring exercise. That will be determined by the *objectives* of the policy that requires monitoring, in this case the EPA. As the EPA is described as a "development and trade agreement" this study recommends a monitoring system that can feed the broader policy cycle and debate on development, economic and trade policy in the region although this will clearly depend on existing institutional mechanisms and stakeholder decisions.
- The *scope* and focus of the monitoring must also be addressed early on, keeping in mind that the monitoring of *compliance* with the agreement (on both sides), and the monitoring of the outcomes or *impacts* of the agreement once are two different things. Monitoring the *use*, and therefore the capacity of the private sector to use some provisions of the agreement is also an important dimension to monitor, as raised by stakeholders. As flexibility is also likely to be important, the most flexible option would likely focus on national monitoring approaches, allowing for differing levels of complexity, but with an agreed "minimum" framework for regional coordination on an agreed range of aspects.
- There needs to be an early discussion of which institutions and actors will
 contribute to monitoring efforts and to establishing a monitoring system and how
 these actors will interact, particularly in terms of the relation foreseen between the
 national and regional institutions. While national concerns would need to be taken
 into account, it may be that the regional institution EPA implementation unit would
 be best placed for ensuring a degree of comparability and harmonisation of
 approaches.

• There is a range of possible methodological approaches to monitoring that depend to a degree on the responses to the issues raised above, particularly in terms of the scope of monitoring, as well as available data and capacity for analysis. For example, potential approaches for impact monitoring include a "results-chain approach" where for specific sectors one maps out the direct and indirect potential effects of an EPA policy change, with indicators defined for each stage of the chain. In any case, the system should to the degree possible build on existing structures, linkages, information and data-sharing systems.

The picture that emerges from the interviews conducted in the region in terms of establishing monitoring structures is mixed. The main points are listed below:

- The national EPA implementation units set up in the region have differing mandates. For those where monitoring is part of their mandate, some go beyond compliance monitoring to cover impact monitoring, but questions remain as to whether or not they have the means to do so. Additionally, responsibility for implementing the agreement as well as monitoring compliance might represent a conflict of interests.
- Some private sector organisations have started to analyse the implications of the agreements for their sector. This may provide further support for more efforts on monitoring and a useful source of information to feed into the monitoring system.
- The four countries visited in the context of this study possess a national roadmap for implementing the agreement that can serve as a basis for EPA compliance monitoring. Nevertheless, for monitoring to serve a genuine purpose, the level of detail of actions to be taken may need to be increased, particularly when bottlenecks are encountered on the road to compliance.
- There is some existing information on the use and impact of the agreements produced by organisations such as Caribbean Export, but this has not been collected nor distributed on a systematic basis.
- Some useful lessons can be learned from the Dominican Republic's DICOEX, who provide regular update reports on trade-related problems and issues. These include the tools that they have used for monitoring implementation and impacts, how they engage with the private sector and other stakeholders, and the systems they have put in place for information sharing.
- Other regional bodies carrying out analyses, such as the UN Economic Mission for Latin America and the Caribbean (ECLAC) and universities in Member States offer interesting opportunities for data gathering and connecting with regional actors.

Looing ahead, several points need to be taken into consideration for an effective monitoring system:

A monitoring system narrowly focused only on the EPA may prove unsustainable.
Therefore, in order to demonstrate the value of trade policy monitoring, it will be
useful to keep in mind a long-term objective of linking EPA monitoring to wider
trade and development considerations.

- While broadening the scope of monitoring over time to include other trade
 arrangements might prove useful, especially since the data collected and analysis
 undertaken will be of a similar nature, it is likely that the demands of implementing
 such a wide-ranging monitoring system would be too high in the initial phase of
 monitoring.
- Views on the exact form that a monitoring system could take remain dispersed among interviewed stakeholders. Existing roadmaps represent a starting point for monitoring compliance, but should be broken down into more specific tasks and activities.
- In terms of monitoring use and impact, existing ad-hoc system clearly requirement considerable reinforcement. It may make more sense to focus on compliance first, and impact later.
- It will be fundamental from the start to establish clear responsibilities between the CARIFORUM Directorate EPA Implementation Unit and national implementation units to which all are able to commit. While there may be a need for flexibility of systems across member states, a suitable role for the regional level will be to provide a coherent "minimum" framework whilst providing guidance, expertise and advice, as well as a forum for peer exchange among national units and with the European Commission.
- Given limited capacity, decisions taken must be pragmatic and in sync with the reality on the ground, therefore requiring some prioritisation of what to monitor and how.

Taking into account the above arguments, the study outlines suggested priorities for a future monitoring system. As was the case for the points above, these should be seen as intended to feed into policy discussions rather than a set of best practices to be aimed at.

- As noted above, *compliance*, *use* and *impact* are three different domains when it comes to monitoring. Regarding compliance, as noted previously, the existing national level roadmaps could be broken down further into easily 'monitorable' tasks, which would also help to assess when exactly compliance is reached.
- Some have mentioned that monitoring the capacity of the business community to
 use the agreement is also an important aspect of monitoring. As such, monitoring
 utilisation rates, or other bottlenecks encountered when trying to use the
 provisions of the agreement might be something to consider. The deliverance of
 visas in the context of Mode 4 EU service liberalisation would enter this category,
 where applicable.
- Beyond the monitoring of compliance and use of the agreement, a key role of a monitoring system will clearly be to estimate and monitor the *impacts* of the agreement. While the goals of the EPA, as stated in the agreement, should guide the overall monitoring of impact, this study suggests focusing on five concrete areas: trade flows, employment, taxes and transfers, access to goods and services, and social and environmental issues. Countries might also define priority areas they wish to pursue under the agreement, and set up their monitoring efforts accordingly.
- The study succinctly outlines a few pointers as to the availability of this data, given the above observation that building on already existing systems and frameworks

- will be the most sustainable approach. The availability of data, and the comparability of data sets across the region are two major challenges facing monitoring efforts.
- The linking of national monitoring of EPA impact with the regional level is also an important aspect to take into account. As such, it will be important to have some form of institutional framework or platform at the regional level that draws, to the extent possible, on already existing structures. This platform could coordinate national monitoring efforts, promote lesson-sharing from national experiences for the regional level, monitor aspects that can only be monitored at a regional level, and insure some degree of harmonisation across collected data. This might build on the recently established online CAFEIN Network of EPA Implementation Units.

The next steps to be taken in determining the *objectives* of monitoring at the regional level seem to be the following:

- Agree on a regional set of objectives and a broad framework to guide national contributions to the monitoring system, to be shared and agreed with the European Commission given the overall desire for a joint monitoring system.
- Ensure monitoring-related decisions form an important element of the agenda of the Joint Consultative Committee and future institutional decision-making.
- Put discussion of an outline EPA monitoring system on the agenda at the Trade and Development committee meeting planned for June 2012
- Discuss possible financing needs and options for a sustainable regional information platform, taking into account that some aspects may be costless given existing activities.

And at the national level:

- Organise a consultative national meeting with stakeholders including government, civil society and the private sector to discuss how EPA monitoring could best inform and address their issues, taking into account how decision are made in specific countries' administrations.
- Agree on institutional mechanisms, membership, structure and roles for a National Monitoring Committee or other such national task-force on monitoring. This might involve establishing sectoral working groups or building EPA Monitoring into existing sectoral working groups.
- Discuss potential additional needs and finance sources for strengthening trade policy monitoring. The possibility of using some aspects of the 10th EDF funding for the National EPA focal points and the Regional EPA Implementation Units could be explored.

Concerning the *scope* of monitoring, the immediate next steps to be taken seem to be the following:

 The choice to be made regarding whether monitoring should focus on the EPA or trade policy monitoring more generally at any stage or in the medium to long-term, and whether to focus only on compliance in a first stage or also include some aspects of use and impact.

- Similarly, whether or not a longer-term objective should be to link EPA monitoring with CSME monitoring.
- The degree of focus, or sequential building up of implementation, use and impact monitoring and/or other proposed alternatives.
- Desirable level of monitoring of EPA related market opportunities vs role of private sector associations.
- Priority sector/areas for data collection and impact analysis.

The next steps to be taken in determining the *objectives* of monitoring at the regional level seem to be the following:

- Regional discussions on an agreed scope and broad framework for monitoring must take place, potentially along with discussions on monitoring objectives.
- Analyse the long and short-term objectives and possible phasing.
- Agreement on national focused priorities, or country groupings.

And at the national level:

- National-level discussions to decide on criteria for selection of priority sectors/areas for monitoring and on sectors themselves, according to nationallevel decision-making processes.
- Overview of areas/sectors already subject to monitoring and analysis through annual budget processes and poverty reduction frameworks etc.
- Overview of existing data and potential gaps for priority sectors.
- Prioritisation of areas for initial work and sequencing where required.

As to the *actors* that will be part of the monitoring framework, the next steps to be taken at the regional level seem to be the following:

- Use Joint Consultative Committee to identify a regional monitoring steering committee to lead further EPA monitoring discussions in collaboration with the European Commission
- Agree on an acceptable institutional approach to allow regular and systematic monitoring of EPA implementation progress at a regional level, based on national implementation roadmaps.
- Agree on an institution (e.g. ECLAC) or institutional form for monitoring region-wide aspects of EPA and trade-policy implementation in partnership with the EC
- Agree on specific responsibilities in the context of the agreed objectives and scope.
- Agree on what to do with monitoring outputs, level of binding commitment to be required from countries and the timing and milestones of a monitoring/trade policy cycle.

And at the national level:

 Take steps to identify relevant stakeholders at the national level and establish an EPA monitoring working group or allocate the monitoring oversight role to an existing working group.

- Examine the administrative reform measures that might be required to establish such a group
- Agree on a format and timing for wider, regular consultation with civil society and the private sector to discuss on-going EPA monitoring outcomes.
- Identify potential partners for national-level analytical work (Universities, other research bodies at a national or regional level).
- Agree on specific roles and responsibilities within the monitoring system and in line with existing trade and economic monitoring systems and practices.

With regards to the *methodology* to be applied to compliance and impact monitoring, the next steps to be taken at the regional level seem to be the following:

- Ensure compatibility of regional and national compliance and monitoring roadmaps
- Agree on regularity and format of compliance reporting from national to regional EPA implementation unit.
- Agree on "minimum list" of topics to be analysed at a regional level and key indicators.

And at the national level:

- Based on selected priority areas and with analytical partners, agree on which methodological approaches to use for which areas.
- Begin to identify data sources and establish when data are updated and how they can regularly received.

By way of a conclusion, this study recommends taking the following immediate first steps to move the discussion forward and gather some momentum:

- 1. The regional gatherings of EPA units planned for August 2012 should be used as an opportunity to discuss the contents of this study and agree on a way forward.
- 2. Target putting monitoring on the political agenda for the Trade and Development Committee meeting planned for 2012 with the aim of initiating high-level discussions and a proposed Monitoring Committee.
- 3. Preparation of a draft document of monitoring principles, decisions and basic proposed characteristics for presentation to the Joint Consultative Committee and TDC in response to the EU's "non-paper" from 2011.
- 4. Break down monitoring requirements into what exists, what could be set up without funding, and what requires additional funding.
- 5. Identify and approach potential funders for medium-term external assistance for EPA use and impact monitoring both for regional oversight roles and national-level analytical assistance.

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Acronyms

CAFTA Central America Free Trade Agreement

CARICOM Caribbean Community

CARIFORUM Forum of the Caribbean Group of African, Caribbean and Pacific

(ACP) States

COMTRADE United Nations Commodity Trade Statistics Database

CPDC Caribbean Policy Development Centre

CSI Coalition of Services Industries

CSME Caribbean Single Market and Economy

DICOEX Dirección de Comercio Exterior y Administración de Tratados

Comerciales Internacionales

DIE Deutsches Institut für Entwicklungspolitik

DOM Domicile Outre Mer

ECDPM European Centre for Development Policy Management ECLAC Economic Commission for Latin America and the Caribbean

EIA Environmental Impact Assessment
EPA Economic Partnership Agreement
EPLex Employment Protection Legislation

EU European Union

FDI Foreign Direct Investment

GIZ Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)

GmbH

ILO International Labour Organisation IMF International Monetary Fund

OECS Organisation of Eastern Caribbean States

1. Introduction

Since the EU-CARIFORUM Economic Partnership Agreement (EPA) was signed in 2008 there is a sense on both sides that only limited implementation has taken place. Consequently, there is very little systematic evidence regarding its impact. With commitments made to monitor the EPA in the text and a general desire to understand what impact, if any, the EPA is having, it is important that measures be taken to establish a system to monitor EPA compliance and impacts. While the European Commission has presented a brief "non-paper" with some potential guidelines for a monitoring system to the Joint Trade and Development Committee, the present study aims to go beyond that in providing a more in-depth overview of where the debate stands, suggestions of what a monitoring system would entail and some concrete steps to move the process forward.

The study draws on interviews held in Barbados, Grenada, Trinidad and Tobago, the Dominican Republic and the CARIFORUM Directorate. These highlight experiences and points of view that could serve as a basis for discussion of monitoring among CARIFORUM members, EPA units, private sector organisations and civil society organisations, not to mention the EU.¹ As such, it lays out some basic issues and principles for setting up a monitoring system, proposes some potential concrete first steps, and touches on some broader issues relating to regional integration among CARIFORUM countries where this helps understand the context for monitoring.

To be clear, the study does not engage in discussions on the pros and cons of the EPA nor provide a conclusive update of EPA implementation progress to date. Similarly, given that an effective monitoring process will require considerable engagement and ownership by member states, the study does not present an all-encompassing model for what a monitoring system "should look like". Rather, it sets out what appear to be the most important issues to consider and some options as a basis for discussion. In doing so, it does not claim to represent a regional view, all views and experiences from every CARIFORUM country nor to present detailed case studies on EPA monitoring for the four countries discussed.

Ultimately the aim is to contribute to trade policy discussions, and implementation of the EPA in particular, in a way that maximises its potential to serve developmental purposes. The first paragraph of Article 1 of Part 1 of the EU-CARIFORUM states the objective of the agreement as "Contributing to the reduction and eventual eradication of poverty through the establishment of a trade partnership consistent with the objective of sustainable development, the Millennium Development Goals and the Cotonou Agreement". The EPA is therefore more than a simple trade agreement and any monitoring exercise should aim to reflect this.

Developing a monitoring system will necessarily be a gradual process and, as with EPA implementation and its effects, is likely to take some time to take root. Taking

² See agreement text here: http://trade.ec.europa.eu/doclib/docs/2008/february/tradoc 137971.pdf

¹ Although the study focuses on only four of the CARIFORUM countries this should not be taken as a snub to other CARIFORUM countries – the selection was taken on the basis of including countries of different size, at different stages in EPA implementation and therefore from which insights on monitoring might be considered useful for other countries in the region although the specificities of each country are clearly also important.

that into account, this study aims to help guide initial steps by promoting discussion on the aims and initial form a monitoring system might take and some of the practical considerations that should be taken into account.

The study starts from the broad principle that implementation and impact monitoring is a key element of the policy cycle for any form of policy. Continuous examination of policies in place, bottlenecks to successful implementation and effectiveness, and social and economic effects gives policy-makers and other interested parties the information with which to measure progress, against specific policy commitments and goals, and to identify undesirable or unforeseen effects that require policy adjustment. This feedback then serves to inform further discussions on policy direction and to hold institutions to account, be they government ministries or trade partners. Such a system can also allow success stories to be understood and disseminated, thereby also serving an awareness-raising role.

A monitoring system should therefore be seen and adopted as a useful tool for policy-makers, civil society and the private sector alike, rather than as a bureaucratic burden. By providing regular information relating to EPA implementation progress and a focus for public-private engagement and dialogue, actors from all sectors can more effectively understand and address bottlenecks, engage in discussions with EU trade partners on their implementation of the agreement, and better ensure that the EPA has the developmental impact it is ostensibly intended to have. As CARICOM Secretary General, Ambassador Irwin LaRocque recently put it, "Impact, results and benefits must be the watchwords at the level of implementation. We must satisfy regional stakeholders that our actions bring them added value to their lives."

This study contends that to have a *genuinely effective* monitoring system for the EU-CARIFORUM EPA it is important to consider the following: i) beginning with at least the long-term objective of covering trade policy and agreements beyond the EPA; ii) focusing on development as an intended outcome of trade agreements; iii) ensuring political engagement to make information and data collection a priority beyond the Ministries of Trade; and iv) improving the level of information sharing and dissemination across the region and with the CARIFORUM Directorate of the CARICOM Secretariat through some form of regional monitoring platform. To a certain degree, the wider the scope of the monitoring beyond the EPA, the greater the potential benefits to society as a whole, particularly given the similar data and information demands that would be needed. However, this must of course be weighed against with the additional capacity demands this makes, recommending therefore that this be considered as an objective for a later phase. As such, a useful long-term objective might be to promote greater integration with initiatives to step up monitoring of progress on the Caribbean Single Market and Economy (CSME).⁴

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³ From the signing of the recent EC financing agreement on 31 March 2012. See: http://www.bilaterals.org/spip.php?article21269&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3-A+cotonou_online%2Facpeutrade+%28Trade%3A+ACP-EU+trade+policy+news%29

⁴ According to interviewees, part of the recently signed funding for the recently signed EU-funded CSME-related programme is for a CSME monitoring system. One source on the recent financial agreements is here: http://www.bilaterals.org/spip.php?article21269&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3 A+cotonou_online%2Facpeutrade+%28Trade%3A+ACP-EU+trade+policy+news%29

From a more pragmatic point of view, such long-term objectives therefore require sequential steps. This implies prioritisation and decisions on where and how to improve information sharing and data gathering within and among countries, and structures for working with interested parties within each country to build a basis for monitoring. This would ideally build on and systematise any existing work on policy analysis within and outside government, at a national and regional level. The trade-off between potentially burdensome regional coordination, and domestic-focused monitoring is fundamental, and one that will have to be examined in more detail, taking into account the potential added value from regional coordination early on in the process.

The proposed broad model for a monitoring system is based on regionally defined and agreed indicators, applied to nationally defined priority sectors. These are to be agreed on, respectively, by a regional body such as a regional Monitoring Committee and National Monitoring Committees or other similar bodies along with the joint EU-CARIFORUM institutions, that will provide oversight and guidance on the monitoring process. National bodies might also be served by sector-specific committees, according to national decisions and priorities.

As an overall priority, *compliance* with the EPA commitments is to be monitored through improved systems linking national with the regional EPA implementation unit, all the time in line with agreed national-level procedures. Regional coherence of such systems must be based on an agreed regional framework and common methodology, with information shared through a web-based information-sharing platform and a regional coordinating task-team. This task-team might take the form of the regional Monitoring Committee mentioned above, reporting to the Joint Trade and Development Committee.

At the same time, a regional oversight body such as ECLAC is proposed for overseeing the analytical aspects of monitoring the *use* and *impact* of the EPA. This would also feed into the proposed regional information platform on monitoring. The latter would work hand in hand with nationally defined approaches for examining priority issues in CARIFORUM member states in collaboration with their preferred nongovernmental, analytical partners, such as universities. The details of such a system require discussion and agreement by the principal actors in the region and in each country, as well as with the EU. There is also a discussion to be had with regards to other regional bodies such as the Caribbean Export Development Agency, which would need to be integrated into monitoring endeavours.

This proposal is based on an understanding of the many difficulties facing the region. It also takes account of the potential problems of attempting an overly structured approach, and pays attention to issues of capacity constraints. Overall, such a flexible approach is hoped to allow countries to move at their own speed within a broadly (and regionally) agreed framework.

The remainder of this study is organised as follows. Section 2 provides an overview of the current context for EPA monitoring, both in general terms of the region and EPA implementation. Section 3 presents some underlying principles for policy monitoring, summarises some previous work on EPA monitoring, and briefly discusses existing

efforts to monitor the EPA. Section 4 discusses the areas that a monitoring system might focus on, while Section 5 lays out some options for discussion and decision in moving forward.

2. Context

Overview of general context 2.1.

The lack of progress to date in establishing EPA monitoring mechanisms relates in no small part to slow progress in implementing the EPA agreement. Anecdotal evidence suggests this has been slow and uneven across the region. There are some important contextual issues that are at least partially responsible for this, particularly when taken together. The most salient of these include the following:

- 1. The **financial crisis** has hit several of the Caribbean economies hard, particularly through a fall in tourism receipts but also declining FDI inflows, remittances and worsening fiscal balances. Countries less reliant on the tourism sector, such as Guyana and Surinam, have weathered the crisis better although even here their main export sector, mining, has also been negatively affected. The Dominican Republic and Belize have been least affected by the financial crisis.⁵ While this has potentially distracted CARIFORUM governments from EPA concerns, the same may also be the case for the EU, currently embroiled in its own crisis. This is not to say that both parties would not ultimately like to see the EPA as a success.
- 2. Further, several of the Caribbean islands were hit by **natural disasters** during 2009 and 2010. In October 2010, Hurricane Tomas struck some of the already weakened economies such as Dominica and St. Vincent and the Grenadines, thus leading to further declines in output and growth, and thus also occupying political attention.
- 3. There is a perception that a general slow down of the regional integration process in combination with changes in governments may have allowed regional integration and EPA implementation to slip down the agenda in a number of countries.
- The **EU** is not the principal trading partner for CARIFORUM countries, and for a 4. number of them the importance of the EU is declining relative to other partners.⁶ For most, the EU represents the third or the fourth most important trade partner. As such, the EPA is perhaps less important economically than trade relations with other trade partners.

⁵ Based on figures from IMF (2012), IMF (2011a), IMF (2011b), IMF (2011c), IMF (2011d), IMF (2011e), IMF (2011f), IMF

⁽²⁰¹¹g), IMF (2011h), IMF (2011i), IMF (2010).

6 Average trade levels between the EU and the Caribbean ACP countries have decreased during the period 2006-2011 with the Caribbean share of total EU exports decreasing from 14.9 % to 9.2 %, while the share of total EU imports has decreased from 20.5% to 14.5%. Based on EC figures: http://ec.europa.eu/trade/creatingopportunities/bilateral-relations/statistics/

⁷ Looking at EU-Caribbean trade relations through time, trade with Haiti, St. Kitts and Nevis, Trinidad and Tobago and Surinam (despite a temporary drop in 2010) has increased between 2006-2010, while flows between the EU and Antigua and Barbuda, Bahamas, Barbados, Grenada, Jamaica, St. Lucia and St. Vincent and the Grenadines have decreased during the same period. Particularly Jamaica, Grenada and St. Lucia have experienced a sharp decline in their trade with the EU.

- 5. There remains some **debate surrounding the worth and potential impact of the EPA** in the region that may influence some governments' impetus to implement the agreement.⁸
- 6. As the **EU has unilaterally implemented most of its commitments**, delays in implementation on the CARIFORUM side do not face risks of slow-downs on the EU-side.
- 7. In several countries, particularly the smaller members, government **capacity to implement the agreement** in a timely manner is clearly a constraint, with very few qualified staff available, for example, for legal drafting, while the EPA agreement requires engagement and coordination across a large number of institutions. Given this constraint, again monitoring may not be considered a priority.
- 8. Considerable **fruitless efforts have already been made** to establish a monitoring mechanism through civil society at the time the EPA was signed. This may make it harder to gather efforts for a renewed attempt.

In addition, the study identifies a number of underlying regional-institutional issues that may potentially affect implementation and monitoring efforts:

- 1. Relatively ad-hoc systems of coordination and communication among the national, sub-regional, regional, and extra-regional bodies.
- Unclear division of labour between the national and regional levels, and CARIFORUM directorate mandate/authority vis-à-vis national EPA units on a number of issues.
- 3. An apparent need for more mutual trust to be built between CARIFORUM members, CARICOM and DR, and the EPA units and CARIFORUM EPA Implementation Unit.

Some of these (and other) issues have been recognized elsewhere. In particular there were the subject of a report discussed by the Heads of Government at their meeting in Suriname on 8 and 9 March 2012. In particular that report referred to the CARICOM Secretariat having too many mandates; structural weaknesses in institutional terms; organs not functioning effectively or as intended; lack of serious prioritization; administrative weaknesses; ineffectiveness of formal channels; problems at member state level; and a weakened secretariat. These clearly have implications for the perspectives for EPA implementation and for establishing a monitoring system.

Of particular relevance from the above study is the following statement: "CARICOM decisions are, on the whole, not being implemented at Member State level...[while] given

⁸ See the following for a useful summary of the main debates: Bishop, M.L., Heron, T., and Payne, A., 2012, "Caribbean development alternatives and the CARIFORUM-European Union economic partnership agreement", Journal of International Relations and Development, (1-29).

⁹ Humphrey and Cossy (ibid) cite the case of Barbados where 27 bodies are counted as "Principal Implementing Bodies".

10 See Stoneman, R., Pollard, J.D., Inniss H., 2012, Turning Around CARICOM: Proposals to Restructure the Secretariat, Report prepared and submitted to the CARICOM Secretariat by Landel Mills Consultants:

http://www.caricom.org/jsp/communications/caricom_online_pubs/Restructuring%20the%20Secretariat%20%20Landell%20Mills%20Final%20Report.pdf

management and implementation difficulties tend to be a problem in many Caribbean countries, any initiative that lacks high priority faces serious challenges, particularly if it is part of a complex framework of initiatives, which is often the case with CARICOM'. This appears to be very much the case in terms of the EPA.

Although overall this represents a relatively negative outlook for designing a monitoring system, it must nonetheless be taken as a starting point. It also points to the need for a greater national focus for such a monitoring system to ensure that monitoring does not suffer from some of these regional blockages.

While the above issues hinder EPA implementation, there nonetheless remains enthusiasm for the agreement, particularly among certain elements of the private sector. While the private sector in the region is quite heterogeneous, a number of interviewees expressed frustration at the lack of progress on implementation, particularly with regards the regional preference which would allow CARICOM countries to enter the potentially lucrative Bahamas market. There is also interest in accessing the French Overseas territories of Guadeloupe and Martinique through the agreement. This enthusiasm for the EPA itself might also be mobilized for monitoring compliance and impacts. Further, while some complain that the Caribbean signed an EPA too soon and could have waited like Africa and benefited from protection for longer through even slower implementation, others in the region nonetheless argue that what might have been a four year head-start for Caribbean countries over Central America has been lost through slow implementation, given the recent signing of an Association agreement between the EU and Central America in March 2012.¹¹

2.2. Overview of EPA implementation to date

The general context outlined above has resulted in uneven implementation of the EPA agreement across the region. As Humphreys and Cossy put it, "the [implementation] challenges are political, communication-related, philosophical, cultural, institutional, financial, technical, capacity-related and more"! Indicatively, latest information suggests that the treaty has been ratified in only 4 out of 15 CARIFORUM countries and in 5 out of 27 EU countries. Although in some countries, such as Barbados, the EPA can be provisionally implemented without ratification, in others, legislation requires an act of parliament even to lower tariffs, meaning that even this cannot take place without ratification. Trinidad and Tobago is a case in point where the agreement was not yet being applied even provisionally until very recently.

Although a regional agreement, implementation of the EPA takes place at the national level, with each country requiring the appropriate systems, procedures

Humphrey, E, Cossy, M., 2011, "Implementing the Economic Partnership Agreement: Challenges and Bottlenecks in the CARIFORUM region", ECDPM Working Paper No. 117: http://www.ecdpm.org/dp117

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¹¹ The EU and Central America have concluded the negotiations for an Association Agreement in May 2010 during the EU-LAC Summit. After its legal review, the text was initialled in Brussels on 22 March 2011. See: http://ec.europa.eu/trade/creating-opportunities/bilateral-relations/regions/central-america/

Information suggests that the agreement has been ratified by: Antigua and Barbuda, Belize, Dominica, and Dominican Republic while on the EU side, by Malta, Slovakia, Spain, Sweden, and the United Kingdom (See http://www.keanet.eu/docs/KEA implementing cultural provisions summary.pdf). In a CARIFORUM-EU EPA Trade and Development Committee meeting in Barbados on 9 June the participant were informed that also Belize had ratified the EPA (See http://ictsd.org/i/news/tni/110497/).

and processes for this. This again has implications for monitoring. To illustrate, the setting up of EPA or trade policy implementation units with responsibility for implementing the EPA has taken place at the regional level and in at least 11 of the 15 CARIFORUM countries grouping. However, this has been undertaken based on different visions of the purpose and mandate of these units. For example, in some countries the unit has focused on implementation of *all* trade agreements, not just the EPA, (the case of the Dominican Republic, and the aim of Trinidad and Tobago), thus in some respects bringing economies of scale to their work. In others, the scope has been more narrowly defined as the EPA (e.g. in Grenada), partly out of a conscious choice but also due to capacity constraints. The scope and capacity of the units clearly has implications for coordination of any future monitoring system.

The focus of the units varies across countries. While most concentrate on the coordination of implementation across the range of involved institutions to ensure compliance of legislation with the agreement, in others the aim is to promote the *use* of the agreement by the private sector (e.g. Trinidad and Tobago). While this is undoubtedly a useful task, there is a question mark over whether or not an EPA implementation unit is the most suitable body to play that role, particularly if it distracts from the narrower task of implementation itself.

In terms of implementation planning, there is a regional roadmap (draft from 2009) setting out the various actions required for EPA implementation. However, each country has its own specific implementation requirements in terms of alterations to their existing legislation, leading some to prepare a national roadmap to guide implementation that is based on the regional map. These lay out the principal actions to be achieved, but it is important to ensure that the required tasks are not only clearly laid out with timelines, and the responsible parties, but also that these are broken down into separable, individual, manageable tasks that can be more easily implemented and monitored. It is not clear whether all the national roadmaps meet these criteria.

To get a regional vision of implementation progress then requires a degree of coordination between the regional and national in order to pass on information relating to national-level implementation to the regional level. Interviewees suggested that at present this does not happen on a systematic basis, making it difficult to get a clear overall picture of the aspects of the EPA that are being implemented at present and in which countries. Even where, for example, some believe or report that reduced tariffs are being implemented, it is not easy to establish that the agreement is even being provisionally applied without confirmation from a user that customs systems have indeed been updated to implement the reductions.

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Specifically, the DfID-funded CARTFund supports EPA Implementation Units in Antigua and Barbuda, Belize, Grenada, Haiti, St. Kitts and Nevis, and St. Vincent and the Grenadine. According to DfID, "these Units and the funds are aimed at furthering the implementation of the EPA and CSME." (Letter received from Sandee Layne-Waterman, Department for International Development, 3 April 2012, British High Commission, Barbados). Other units for EPA implementation (exclusively or not) exist in Barbados, Guyana, Jamaica, Trinidad and Tobago and the Dominican Republic.

¹⁵ http://www.crnm.org/index.php?searchword=roadmap&ordering=&searchphrase=all&option=com_search

Importantly, the recent report on CARICOM by Stoneman et al. points to the need for a CARICOM-level "Implementation office". This would produce "knowledge and understanding on a continuous and corporate basis, of exactly where specific integration and other measures have got to, what the bottlenecks or delays are and why, and on the options for overcoming these bottlenecks and delays." They also point out that "individuals have a clear picture of where specific items of integration have got to but there is no overall or complete picture at the institutional level". The same also appears to be relevant for the CARIFORUM EPA.

Regardless of the mixed progress on implementation and monitoring, the agreement text includes commitments to monitoring that must be taken into account.¹⁶ Firstly in Article 5 of Part 1, the agreement states that:

The Parties undertake to monitor continuously the operation of the Agreement through their respective participative processes and institutions, as well as those set up under this Agreement, in order to ensure that the objectives of the Agreement are realised, the Agreement is properly implemented and the benefits for men, women, young people and children deriving from their Partnership are maximised. The Parties also undertake to consult each other promptly over any problem that may arise"

In addition to continuous monitoring, the commitment to review the EPA agreement within five years emerged in interviews as the principal driver of interest in putting in place a monitoring system. Specifically, the paragraph contained in the EPA agreement under the Joint Declaration on the Signing of the Economic Partnership Agreement states that:

We understand that, ... a comprehensive review of the Agreement shall be undertaken not later than five (5) years after the date of signature and at subsequent five-yearly intervals, in order to determine the impact of the Agreement, including the costs and consequences of implementation and we undertake to amend its provisions and adjust their application as necessary

Although the content of a five-year review and regular monitoring may not be identical, regular monitoring of implementation and impact could and should clearly facilitate and feed into such a review.

This forms a key backdrop for the design of a monitoring system discussed here.

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¹⁶ The word "monitor" appears 29 times in the document.

3. Monitoring Principles & Context

3.1. Monitoring in the policy cycle

This study is not intended to duplicate existing work on EPA monitoring. However, it is useful to highlight some useful principles from the literature to underpin a future monitoring system for the EU-CARIFORUM EPA. For this, key references are an ECDPM report with DIE from 2008 entitled "Monitoring Economic Partnership Agreements: Inputs to the negotiations and beyond", while a further paper that goes further with institutional proposals is the ECDPM paper "From Legal Commitments to Practice: Monitoring the Economic Partnership Agreements", although written before the EU-CARIFORUM EPA was signed and with an additional focus on ACP-wide arrangements across regions.¹⁷ Further, the EC's "non-paper" on monitoring the CARIFORUM-EU EPA offers some potential options.

While weak EPA implementation may relate to the factors discussed, monitoring represents an important element of the policy cycle to help ensure effective and informed policy on trade and the economy in general. As the ECDPM-DIE 2008 report states, "the primary aim of monitoring is to ensure that results feed back into the design and implementation of the agreement or accompanying measures". Ideally monitoring would be accompanied by regular and continuous consultation with stakeholders to identify problems with trade policy and its implementation, to identify unforeseen impacts, and allow adaptation of policy and implementation strategies to take account of newly uncovered issues.¹⁸

The generic policy cycle takes the following form:

- 1. policy formulation proposals (or adaptation of existing policies)
- 2. consultation on proposed policies and decisions on implementation
- 3. implementation by the relevant institutions
- 4. monitoring and evaluation of policy implementation and its impacts
- 5. identification of issues requiring additional attention
- 6. re-adaptation of policies to reflect the outcomes of steps iv and v.

This cycle would ideally be accompanied by continuous stakeholder consultation regarding each stage of the cycle, as illustrated in Figure 1. By working according to

¹⁷ Brüntrup et al. (2008). Monitoring Economic Partnership Agreements. Inputs to the negotiations and beyond: ECDPM/DIE. http://www.die-gdi.de/CMS-Homepage/openwebcms3.nsf/(ynDK_contentByKey)/ANES-7FSG5Y/\$FILE/Studies%2037.2008.pdf;

Bilal, S., Jerosch, F. Keijzer, N., Loquai, C and F. Rampa, (2007). "From Legal Commitments to Practice: Monitoring Economic Partnership Agreements", ECDPM Discussion Paper 79, www.ecdpm.org/dp79
Other key documents include:

Humphrey, E. (2011). Implementing the Economic Partnership Agreement: Challenges and Bottlenecks in the CARIFORUM region. ECDPM.

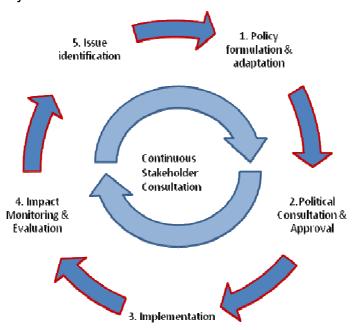
http://www.ecdpm.org/Web_ECDPM/Web/Content/Download.nsf/0/84AFEC4D5626ADA4C12578AF004AACA9/\$FILE/11-117%20final%2014%20june.pdf;

Bilal et al. (2007): Monitoring Economic Partnership Agreements. A methodological review. ECDPM. http://www.ecdpm.org/Web_ECDPM/Web/Content/Content.nsf/80ba021853007405c1256c790053145c/2bcc0bf9b1 https://decaptor.org/Web_ECDPM/Web/Content/Content.nsf/80ba021853007405c1256c790053145c/2bcc0bf9b1 https://decaptor.org/Web_ECDPM/Web/Content/Content.nsf/80ba021853007405c1256c790053145c/2bcc0bf9b1 https://decaptor.org/decaptor.or

In many ways this kind of policy cycle with analysis of bottlenecks, feedback loops and consultations to improve policy is in line with the Growth Diagnostics and "New Industrial Policy" approaches advocated by Rodrik (2007), *One Economics Many Recipes: Globalization, Institutions, and Economic Growth*, Princeton University Press.

such a cycle, trade and economic policy emerges from a continuous process of uncovering bottlenecks to implementation, positive and negative impacts, and other factors to be addressed in reformulating trade policy and reviewing agreements such as the EPA.

Figure 1. The Policy Cycle



This has been occurring in the Caribbean to some extent but only in an *ad-hoc* manner. A more systematic approach requires systematised information and data collection and analysis, institutionalised public-private sector dialogue to provide information on the principal problems to be addressed and to arrive at appropriate remedies.

A potentially useful institutional setup might include national monitoring committees. These could comprise civil society, private sector and government officials and potentially also parliamentarians, as proposed in the studies referred to above. Some have further proposed the setting up of sectoral focus groups on monitoring underneath such a national body. Where possible these would build on existing similar mechanisms. The connections between these and regional coordinating efforts would need to be agreed upon but would not necessarily require that each country follows exactly the same form, although the basics would need to be agreed to allow some degree of regional compilation. To avoid duplication or stagnation of such a committee, where possible these would build on existing structures.

Platforms for discussion of national and regional trade issues combined with capacity to monitor and evaluate trade policy implementation are therefore major components of a modern trade policy framework. This implies the need for a focal unit within each of the member countries for gathering, analysing and disseminating relevant data and information on the productive sector. Overall coordination of the trade

policy cycle should be the principal role of Ministries of Trade or Finance, through a monitoring committee, while the policy cycle should ideally coincide with the budget cycles, the Government's principal planning and budgeting tool.

Setting up a monitoring system can only be genuinely successful if it indeed feeds into a broader policy cycle and if it is seen as a useful tool by participating parties. It is important that stakeholders have an incentive to engage in monitoring. This does not mean a need for monetary incentives, but rather clear potential benefits that align with their interests either through provision of information and transparent data, a sense of better information for day-to-day work, or an opportunity to offer inputs to policy design and reform. Given the potential benefits of broad monitoring in informing policy formulation, debate and broader economic analysis, monitoring can play an invaluable part in strengthening transparency and institutional accountability – across a range of actors. Above all, monitoring should be seen as a useful tool rather than a threat. This might require clear guidelines for publication of any monitoring results to feed into broader debates on economic policy and will require broad agreement

A danger with EPA monitoring is that it be seen an unnecessary burden to ensure compliance with the EU. An EPA monitoring system without demand for it is simply wasted resources, although in an initial phase it may be necessary to promote the importance of such monitoring for all parties and the usefulness may take time to become apparent. It is also feasible that any successes that can be related to the EPA through monitoring will themselves create dome of this demand, suggesting again that monitoring could be usefully seen as a gradual process.

3.2. Principles of EPA monitoring

The EPA monitoring requirements can be divided into four dimensions as follows: 19

- 1. Objectives
- 2. Scope
- 3. Actors & institutions
- 4. Methodology

Objectives

As such, before defining what to monitor, it is important to agree on the purpose of the monitoring exercise or system. It is also important to be clear what the objectives are of the policy that requires monitoring. Although this study will propose that monitoring should play a role in the on-going policy cycle relating to development outcomes and economic and trade policy, it is a decision that must be taken by stakeholders. The breadth of the objectives, the degree of focus on development and trade, how these tie in with other policy instruments and objectives, and the degree to which monitoring will focus on the five-year review or more regular analyses will need to be discussed and agreed among stakeholders.

¹⁹ Broadly based on those from Brüntrup et al. (2008). Monitoring Economic Partnership Agreements. Inputs to the negotiations and beyond: ECDPM/DIE. http://www.die-gdi.de/CMS-
Homepage/openwebcms3.nsf/(ynDK contentByKey)/ANES-7FSG5Y/\$FILE/Studies%2037.2008.pdf

Scope

The focus of the monitoring is also open to discussion and must be addressed early on.

In designing and establishing a monitoring system, it is important to distinguish between monitoring of *compliance* with the agreement (on both sides), and monitoring the outcomes or *impacts*. It may also be useful to distinguish between impacts from the agreement and actual "use" of the agreements – a form of intermediate impact. That is, even if an aspect of the agreement is being applied, if there is little impact it is difficult to say if this is because nobody is actually using the agreement for trading, or because indeed it has no economic or social impact.

Clearly compliance is easier to monitor from the point of view that there are some clear requirements that must be enacted, and the act of monitoring boils down to finding out whether or not a country is in compliance or not. This of course raises some practical considerations, such as how to confirm that even if agreement has been given to apply measures in principle, whether they are actually being applied in practice. This may imply a need for "proof of compliance" of specific elements of the agreement, for example from the customs system to show that the required tariff is indeed being applied at the border.

There are also questions of who is best placed to monitor compliance. Is it the EPA implementation itself that should monitor compliance or would a national monitoring committee serve to overcome any potential conflicts of interest in monitoring what is to some degree its own work? This question is also pertinent in terms of monitoring EU implementation of its commitments, an area that is often overlooked.

Monitoring the *use* of the agreements implies carefully gathering data relating to more administrative aspects of trade. These might include trade with the French overseas territories, the number of EPA-related trade certificates emitted for trade in goods in the region, or numbers of Schengen visas emitted and for how long etc in relation to trade in services. Consideration will need to be given to which aspects of the use of the agreement are considered most important to monitor. Economic, social or environmental impact is clearly more difficult to measure and establish causality although some suggestions are made below.

Given capacity constraints, it is important to have clarity on what the priority areas for monitoring should be both in terms of topic and scope. It may make sense to focus more on *compliance* in a first stage of monitoring, before looking at *use* and *impact* as more medium-term goals.

Actors & Institutions

Given the need for broad discussion and ownership of any monitoring project, there needs to be an early discussion of who will contribute to monitoring efforts and to establishing a monitoring system and how these actors will interact. Monitoring and the use of monitoring is inevitably political but this should not be seen as a reason not to monitor.

A useful proposal may be a National Monitoring Committee with representatives from government, civil society and the private sector. While this could build on existing structures, it might include the Ministries of trade and finance, with particular directorates involved in trade policy and the EPA in particular, while there may also be concrete roles for statistics institutes and the Central Bank, as well as other bodies outside government such as universities with a role in gathering data on and analysing the economy. The formulation and way this committee relates to the overall monitoring endeavour would have to be in line with the in which public administration traditionally take decision, and be adapted to this effect.

The precise role of each of the members of such a body or committee would need to be clarified. This might be done according to what information they can offer, what constructive inputs can be brought, or a desire simply to follow the process as an observer. The role of such a committee would be to oversee and guide the monitoring process, potentially overseeing other national level sector-specific monitoring committees, but also liaise with regional structures.

For the purpose of objectivity and inclusiveness, civil-society actor participation is key in designing the system and following the process. This should include representatives with an interest in social and environmental welfare, but also private sector bodies and associations and other interested groups. Indeed, private sector coalitions and chambers of commerce are key actors for the monitoring process and are taking an increasingly active role even in engaging on issues of data collection and monitoring.

Having agreed on the actors to involve, it will also be important to agree on the institutional arrangements for their engagement in terms of the organisational structures and responsibilities. Ultimately, this is a question of preference but must also reflect the practicalities of different forms of interaction, particularly between the national and regional levels. The most flexible of the likely options would be a focus on national monitoring, with differing levels of complexity, but with an agreed "minimal" framework for regional coordination, overseen by a regional monitoring committee, potentially under the Joint Trade and Development Committee but with inputs or consultation also from the Joint Consultative Committee.

Methodology

There is a range of possible methodological approaches to monitoring. The choice of approach depends on the responses to the issues raised above, as well as available data and capacity for analysis. For the monitoring system to be sustainable it should build, as far as possible, on existing structures, linkages, information and data-sharing systems. A wide range of data is already gathered and analysed on a regular basis and should be used to the full. It is also worth reemphasising that broad agreement, or a common methodological framework agreed at – and provided by – the regional level would ensure the coherence and compatibility of monitoring efforts.

In terms of establishing impacts, potential approaches include a "Results-chain approach". In this approach, for specific sectors one maps out the direct and indirect potential effects of an EPA-induced policy change, with indicators defined for each of the

relevant stages of the chain. While this would be a potential approach for looking at some impacts, clearly it is not feasible for all potential EPA impacts, again requiring some answers to the above questions on scope before precise methodologies can be defined.

If the issues can be agreed upon at a political and technical level, this can serve as a useful basis on which to build.

The ECDPM-DIE study lists 11 principles to be taken into account in the institutional design of a monitoring system". These are relatively self-explanatory and summarise the main characteristics one would hope to find in a monitoring system:

- Ownership
- Accountability
- Transparency
- Institutional Lightness
- Flexibility
- Subsidiarity

- Participation
- Credibility
- Reliability
- Complementarity
- Cost Effectiveness

With regards credibility and reliability, it will be important to consider how best to achieve a sufficient level of objectivity in monitoring to ensure independence of political processes. This may come through engagement with independent outside analysts, or a fully transparent process of data collection and analysis, but again will depend to some degree on national-level choices.

3.3. Existing monitoring systems/mechanisms in place at national levels

Before looking at the implications of the above principles for setting up a monitoring system in concrete terms, it is useful to summarise where monitoring currently stands in the region. Again, this is not a full review of current monitoring practices but a summary of some of the main points to emerge from the interviews carried out as part of the study.

The fact that EPA Implementation Units have been set up in most CARIFORUM countries is positive. Similarly, several of these include monitoring of the EPA as part of their mandate. For example, one of the key responsibilities stated by the Grenada EPA Implementation Unit is "Monitoring and measuring the impacts of the EPA on the local economy". 20 Similarly, the mandate of the unit in Barbados includes, "Developing an appropriate set of indicators and benchmarks to facilitate the monitoring of EPA Implementation in Barbados."²¹ Despite this mandate, there are of course questions regarding whether or not they have the means to do so, but also whether responsibility for implementing as well as monitoring implementation represents a conflict of interests.

Since the EU-CARIFORUM Economic Partnership Agreement (EPA) was signed in 2008 there is a sense on both sides that only limited implementation has taken

²⁰ See website of NEPAIU at: http://nepaiu.gov.gd/index.php?option=com_content&view=article&id=77&Itemid=146
²¹ See website: http://www.foreign.gov.bb/pageselect.cfm?page=235

place. This is notably the case for the Barbadian CSI.²² Although this is sector specific, it is indicative of a greater recognition among private sector organisations of the need to have analytical work to identify bottlenecks and ultimately inform policy-makers. This may also then provide further support for more efforts on monitoring.

In terms of the three areas for monitoring, the four countries visited for this study possess a national roadmap to guide implementation of the EPA that would therefore serve for monitoring compliance. In general this is based on a translation of the regional roadmap set out in 2009 to the national context, but some include activities proposed by the units themselves, relating to education, outreach, stakeholder consultation etc. As well as providing the name of the activity, these generally indicate the responsible person or institution, a time deadline, potential challenges, and current status.

Nonetheless, effective monitoring must feed into a broader process so that progress on implementing specific areas of the agreement is disseminated. Stating that a specific activity has not been implemented due to lack of capacity is not sufficient for monitoring to be useful. Rather, regular updates on what is moving and what is not should inform government and the wider population about where bottlenecks are being found so that efforts can be made to remove these.

In terms of monitoring *use* of the EPA, to date there is considerable anecdotal evidence of private sector companies who have tried and failed to make use of the agreement. There are several stories of companies attempting to access the French DOMS, for example, but facing restrictions that were expected to have been removed through the EPA. But beyond anecdotes, there appears to have been little systematic analysis of these issues, something that might be offered through a monitoring of use of the agreement.

In relation to *impacts*, although little is carried out systematically, ad-hoc reports have been carried out on certain specific topics. These include, for example, a study on the fiscal impact of the EPA in Grenada in collaboration with St George's University and some Caribbean Export studies. However for the most part these are one-offs and benefited from specific project finance for outside consultants and are not always widely available. In addition to more ad-hoc reports, as part of the budgetary cycle governments are generally required to report on budget and economic performance for the previous year. Although the budget report is likely to mention trade policy issues at an aggregate level, such a process may serve as a basis for establishing more systematic trade policy monitoring.

The longer-established Dominican Republic DICOEX provides regular update reports on EPA-related trade problems and issues as well as other tradeagreement related issues, including impact. Importantly, they also hold regular discussion meetings with the public, customs and interested stakeholders. While this is not to say that they do not face problems, that some of these aspects are already carried

See EPA Implementation Bulletin from the CARIFORUM EPA Implementation Unit: http://www.caricom.org/jsp/community organs/epa unit/epa imp bulletin jan feb 12/EPA%20Implementation%20Bull etin Jan-Feb%202012.pdf

out in relation to the DR's CAFTA trade agreement suggests some potential lessons to be learnt for other CARIFORUM countries in terms of what has been successful and less so in the DR. These include the tools that they have used for monitoring implementation and impacts, how they engage with the private sector and other stakeholders, and the systems they have put in place for information sharing. Indeed, a degree of information sharing has taken place already with delegations from Trinidad and Tobago, Jamaica and Barbados having paid visits to the DR, something that might also be beneficial more widely.

3.4. Regional level mechanisms

As well as the national level units for EPA implementation, the agreement itself sets out an institutional framework that includes monitoring responsibilities. As summarised by Montoute (2011), the joint EU-CARIFORUM institutions include the Joint CARIFORUM-EC Council, the Joint Trade and Development Committee, as well as the Joint Parliamentary Committee and the Joint Consultative Committee. ²³ While the Consultative Committee is in the process of being set up, the other three bodies have been established and have met. All of these have oversight of EPA implementation and monitoring as part of their role although clearly these require some inputs from people working at the technical level in order to carry out this role to any level of detail.

In addition to the EPA-specific institutions, other regional bodies have a role to play in monitoring. Caribbean Export, for example, carries out research studies that might combine with more focused national studies to contribute to EPA monitoring. However, this would also require greater communication with Caribbean Export and wider dissemination of research so that this can actively feed into policy analysis within the relevant countries. The donor-funded Compete Caribbean initiative has also funded some research on private sector competitiveness and trade, and this could potentially also be used to feed into more specific trade policy monitoring initiatives.²⁴

Other regional bodies that currently carry out analytical work that might feed into broad macroeconomic and trade policy monitoring, include the UN Economic Commission for Latin America and the Caribbean (ECLAC). Although these currently provide a broad overview of economic relations in the region, the systems they have for gathering data and connecting with regional actors can nonetheless be seen as a form of economic and trade policy monitoring, with potential to feed into more formally established monitoring systems.

In looking at what monitoring exists already, it is also important to highlight previous failed attempts to establish a monitoring system. Under the leadership of the NGO umbrella group, Caribbean Policy Development Centre (CPDC), attempts were made to establish regular meetings and systems to monitor EPA implementation and impacts from a civil society perspective. While some progress was made in bringing together regional actors from civil society, these reportedly foundered due to lack of

²³ Montoute, A., "Civil Society Participation in EPA Implementation: How to make the EPA joint CARIFORUM-EC Consultative Committee Work Effectively", ECDPM Discussion Paper No.119, June 2011, www.ecdpm.org/dp119

²⁴ For a selection of Compete Caribbean studies, see: http://www.competecaribbean.org/resources/knowledge-documents

financing and a lack of priority given to monitoring as an exercise. Underlying these may be that, more fundamentally, a lack of implementation inevitably lowers the drive for monitoring of impacts, while and the availability of reliable data is also an issue raised by CPDC and in other interviews.

Further, given that monitoring of the agreement should ultimately be a joint CARIFORUM-EU undertaking, it will be important to also ensure communication and agreement with the European Commission. The EC has already presented a "non-paper" on Monitoring the Cariforum-EU EPA to the Trade and Development Committee, setting out some basic ideas relating to the scope, outputs, principles, timing and organisation of such a system. To date this has received little attention and might usefully be considered along with this study in determining the best path to follow.

3.5. Conclusions for moving forward

Overall, the above suggests that there are a number of important principals to take into account in establishing a successful monitoring system. At the same time, a primary concern will be to establish buy-in on the value that EPA monitoring can play, and therefore to place EPA monitoring within a wider development framework. Failure to do so risks establishing a narrowly focused but ultimately unsustainable monitoring system with potential inefficiencies given the need to consider all trade data and information in order to monitor the EPA anyway, and the ultimate need for such monitoring systems to be embedded (and funded) within the national government structure. On the other hand, monitoring and dissemination of monitoring results may help to raise awareness of the EPA in the business and wider community, where poor awareness is a commonly cited criticism.

Although interviewees for this study mostly expressed general enthusiasm for a monitoring system, any concrete ideas on what form this should take has remained dispersed. Existing roadmaps of activities represent a starting point for monitoring compliance, however even here these could be improved to ensure more systematic monitoring, and a more helpful breakdown of activities into specific tasks that will help uncover where bottlenecks lie for implementation.

In terms of monitoring the use and impact of the EPA, existing ad-hoc systems clearly require considerable reinforcement to be able to get to the stage where these feed in systematically into a policy cycle. It may be that it makes more sense to focus first on monitoring compliance in a systematic manner before looking at impact, and perhaps also for use.

It will take considerable efforts to strengthen communications between implementation units and other national bodies working on data collection, analysis and information relating to the EPA. Although regional harmonisation of national monitoring outputs would seem to be important, it may be that at an earlier stage efforts should be focused on agreeing on formats and indicators, with sectoral focus priorities decided at the national level, with experiences and successes shared across countries to arrive at a regionally agreed basis. A regional system with regional coordination from the outset might encounter similar problems to those discussed with

regards implementation and the general regional integration project. However, a suitable role at the regional level might be to provide a coordination role or coherent methodological framework whilst providing expertise and advice, as well as a forum for peer exchange among national units and channel to provide inputs to the Trade and Development Committee.

Even at the national level, depending on existing systems, establishing the kind of system envisaged may still require quite a complicated exercise of coordination of data collection and information, particularly given scarce capacity. If the scope of the monitoring is broadened beyond the EPA to include other trade arrangements, this will not necessitate particularly more work but will imply that EPA-related analysis emerges from a wider collection of data and analyses. While this might require some additional work to separate EPA impacts from others, the data will be the same and in any case this analytical work to separate EPA from other effects would have to take place.

Whatever form of system is agreed upon, the perennial issue of capacity is likely to arise. While there are legitimate shortages of capacity in some specific areas, and in some countries, the issue of capacity is a notoriously hard one to deal with, and can often be used as a valid excuse. As one interviewee put it, once there is a person and a budget, it can be said that there are resources and thus capacity. As such, any decisions taken on how to design a monitoring system must be based on the reality on the ground and pragmatic prioritisation.

4. Potential areas to monitor

Taking into account the above arguments, this section outlines the main areas that seem important to focus on in a future monitoring system. As explained in the introduction, these are intended to feed into discussion rather than represent a "best practice" that must be aimed at. In general terms, the areas to monitor should stem from what is expressed in the agreement itself relating to its development objectives and impacts.

In establishing a monitoring system to cover trade policy and its development impacts, the aim is to *at least* be able to look at the following aspects for the EPA.

4.1. EPA provision compliance

A basic requirement of an EPA monitoring system would be to monitor compliance with the agreement. The EPA unit workplans and roadmaps can serve as a basis for this given their checklist nature. In that context the roadmaps themselves might be adjusted to provide narrower, more detailed breakdowns of activities so as to make progress easier to monitor, whilst also helping to highlight where bottlenecks arise.

It is instructive to take an example from one of the country roadmaps. This says: "Enact and implement legislation for prescribing zero duty on the agreed originating products from the EU as detailed in Annex III of the EPA" does not represent a one-off activity, but a series of sequenced tasks requiring the involvement of different individuals and institutions. By breaking such a task down into its constituent steps, this will not only assist implementation, but also help in monitoring the stage to which compliance is reached. This then can form the basis of a monitoring system for the specific aspect of implementation.

Further, there may be lessons to be learnt from elsewhere. The Landell Mills report from 2012 mentioned above refers to the "balanced scorecard approach' introduced in EU in the 1980s to encourage Member States to speed up single market implementation. While the report recommends that a similar approach be introduced for the CSME, EPA and other regional trade policies might also benefit from such an approach that formalises some of the recommendations made above.

In monitoring EPA compliance, it is also important to remember that the trade agreement reflects commitments by both parties. As such, and given the overall need for monitoring to be a joint endeavour, it is important to include EU compliance in a monitoring system.

4.2. EPA use, or capacity to use

Even if all countries are fully compliant with the EPA agreement, it may be that the nature of the CARIFORUM private sector means that little or no use is made of certain aspects of the agreement. Some therefore propose that capacity to use the agreement is an additional important area to monitor. While "use" of something is inherently tricky to measure, it would nonetheless be feasible to gather data on aspects

of the agreement where firms and individuals have had difficulties in using the agreement or in carrying out trade more generally. This would help in understanding why the EPA has had the impact it has had, while also helping in presenting monitoring as a tool for improving conditions for the private sector, potentially garnering greater support for a monitoring mechanism.

There is currently anecdotal evidence on, for example, the problems associated with obtaining visas for business-related visits to the EU. This involves international travel to get the visa, difficulties for travelling at short notice, repeated full procedures for people who have previously been offered a visa, limited lengths of stay etc., all of which represent large restrictions on business travellers. While this does not relate to lack of compliance with the agreement *per se*, the way the agreement is being implemented implies difficulties that will inevitably reduce the impact of the agreement on trade and investment flows. Other potentially useful areas to monitor relating to EPA "use" might relate to gathering systematic information related to accessing the regional market through the regional preference when and where this is being implemented.

Given that the EU is not the principal trading partner for any of the CARIFORUM countries, and that CARIFORUM countries benefited from Duty Free access to the EU market before the agreement, in any case the expected impact might be relatively small. Nonetheless, a lack of impact because the EPA is not used would not be the same as lack of or negative impact despite considerable use of the agreement. As such, it will be important to agree on priority areas of the agreement for CARIFORUM countries to monitor its use. When the specific exports of goods or services are defined, then the appropriate indicators can be defined and the data collected such as the utilisation rate of EPA preferences by Caribbean importers, for example.

An additional step to provide more concrete evidence on EPA use would be to have a website for firms to register difficulties in trading. From this it would be possible to establish what arises from the EPA and from other issues of regional integration or other FTAs. As well as registering difficulties that might then be addressed through government policy or at a regional or joint EU-CARIFORUM level, such an initiative might also offer to help where possible. This could link with the EU export helpdesk: http://exporthelp.europa.eu/thdapp/index_en.html. Indeed such a Caribbean Export Help Desk was proposed at the CARIFORUM-EU Business Seminar in April 2011 and could be linked to a broader regional monitoring framework.²⁵

4.3. EPA impacts

Beyond monitoring the *compliance* and *use* of the agreement, a key role of a monitoring system will clearly be to estimate and monitor *impacts* of the agreement. Again, the potential range of impacts is broad, necessitating some degree of prioritisation. Given the different nature of this work, this may also be seen as a longer-term goal following the initial setup of monitoring of compliance and use. As the impacts

http://eeas.europa.eu/delegations/trinidad/press_corner/all_news/news/2011/20110405_01_en.htm

²⁵ See press release at:

should be measured against the objectives of the agreement it is important to begin with those.²⁶

The objectives of the agreement as defined in article 1 are as follows: (i) poverty eradication, (ii) promotion of regional integration, (iii) integration of CARIFORUM states in the world economy, (iv) improving trade policymaking capacity of CARIFORUM states, (v) increasing investment, (vi) private sector initiative, supply capacity, competitiveness and economic growth in the CARIFORUM region and finally (vii) strengthening EU-CARIFORUM relations on the basis of solidarity and mutual interest.

Article 3 further defines sustainable development as '(...) the human, cultural, economic, social, health and environmental best interests of their respective population and of future generations', while '(...) decision-taking methods shall embrace the fundamental principles of ownership, participation and dialogue'.

Not all these objectives may initially be covered by a national and regional monitoring mechanism. Given the emphasis on poverty eradication, sustainable development and economic growth, the need to prioritise, and the somewhat more direct impact the EPA may have on these objectives, this study focuses on the necessary indicators to measure the impact the EPA might have on these dimensions.

In terms of results chains, the choice of indicators for monitoring depends to a large extent on the transmission channel expected between a particular policy change and its effect. This can be mapped by distinguishing five different transmissions channel between the effect of the agreement and its development impact. Naturally, not all transmission channels are relevant for all sectors, and some might be more directly affected than others for a given policy change introduced by the EPA. The channels may also affect each other, or run in contrary directions regarding development impact.

- **1- Trade flows**: This channel would track the effects of reducing the level of CARIFORUM tariffs, of the changes in the few Rules of Origin provided for in the agreement, and of the opening of the CARIFORUM services sectors and how this links to development outcomes. Concretely speaking, the changes would manifest themselves through higher levels of import and exports from and to the EU. Provisions on Technical Barriers to Trade, SPS issues and cooperation on various parts of the agreement should also reduce the administrative burden on CARIFORUM's private sector.
- **2- Employment**: This channel would track effects on general employment level in the productive sector, including wages and general income levels. Ideally, there would also be a monitoring of impacts in the non-tradeables sector (including small-scale and informal sector), an important form of safety net to formal sector employment in many countries. The gender dimension of employment can (and should) also be included here.²⁷ In the context of EPA monitoring, this would track both employment levels and

²⁷ See Jackson and Wedderburn (2009), Gender and the Economic Partnership Agreement: an analysis of the potential gender effects of the CARIFORUM-EU EPA, ECLAC.

²⁶ Although an impact monitoring system might also be considered a useful tool in the context of triggering safeguard measures, this is not an area that was mentioned by *any* interviewees.

wages in expanding sectors (e.g. services), in import competing sectors (e.g. paper), and in the informal sector if possible. From thereon, remedial measures or mechanisms designed to accompany trade adjustment could be devised (e.g. providing reconversion programmes or help to improve competitiveness) or strengthened where social safety nets already exist.

- **3- Taxes and Transfers:** This channel covers public and private transfers, and taxation. In the context of the EPA this would mean looking at the effect of revenue loss to government, the increase of flows in investment, as well as the disbursement of development aid in the context of the EPA. Of considerable importance here would be to track the amount of aid disbursed to help the 'traditional' Caribbean agricultural exports suffering from preference erosion and internal EU market liberalization, an aspect which is explicitly mentioned in the EPA. Qualitative assessments of the impact and how AfT programmes match the identified needs might be useful to assess their impact.
- 4- Access to Goods and Services: This transmission channel covers people access to goods and services, tracking the extent to which reduced trade barriers trickle down to final prices for the consumer, and also the extent to which the possibility of increased commercialisation of certain services increases or limits their access to the general population. Thus, in the context of the EPA, certain goods might become more easily available to the general population as trade barriers come down. Similarly, access to key services might become more widespread as EU service providers gain access to the market. On the other hands, concerns had been expressed that the commercialisation of certain services, for example in the health sector, might hamper the ability of government to regulate their availability..
- 5- Social and environmental issues: The EPA also includes provisions addressing environmental and labour issues in CARIFORUM countries. The provisions under the environment chapter give an explicit recognition to the importance of monitoring the impact of the agreement on the environment. The social chapter is focused on labour standards, and oriented towards cooperation on meeting international standards and enforcing local ones. Both chapters recognize the importance of monitoring though participatory processes. The consultative committee established under the agreement is the institutional body in charge of monitoring these aspects, building on national and regional participatory processes.

Although not included above, policy impacts of EPAs might also be valuable aspects to monitor. Although not necessarily a direct outcome of the EPA, it may also be of interest to monitor issues relating to the business environment, trade facilitation and economic governance, if this is not already being monitored elsewhere.

In terms of monitoring, social and environmental aspects differ in substance. While the chapter on the environment recognises an explicit causal link between the environment and the EPA, the social chapter's aim is rather to strengthen labour standards in the region more generally. The monitoring of the chapter on social and labour issues should therefore focus on assessing the regulatory framework around labour issues in CARIFORUM, in consultation with civil society and trade unions, while the monitoring of the environmental impact should strive at making a causal link between

any EPA-related trade and investments and possible environmental degradation. It is noteworthy that the region is stepping up its efforts precisely in this area.²⁸

The table below maps potential indicators to monitor for each of these five areas, and suggests possible sources that will be relevant in identifying them.²⁹

Monitoring area	Potential Indicators	Sources
Trade Flows	(i) Value of goods exports of CARIFORUM to the EU (including DOMs) and within the CARIFORUM region; growth performance of export-oriented sectors in terms of value-added and employment; prices and competitiveness of exported goods. (ii) Trade in services levels, focusing on key sectors.	(i) National and regional statistics office national accounts and trade statistics (CARICOM regional Statistics, Trinidad and Tobago Statistical office, etc), customs services, international organisations statistical bodies (UN COMTRADE, IMF Direction of Trade Statistics, ECLAC), professional associations and organizations for detailed sectoral data on prices and competitiveness (e.g. West Indies Rum and Spirits Producers Associations). (ii) National Statistical Offices, Central Banks, 30 World Tourism Organisation, Caribbean Tourism Organisation, National Services Coalitions.
Employment	Employment data at sectoral level on national sectors expected to lose out or benefit from the agreement. Data can be further refined by qualitative studies taking into account gender and socio-ethnics dimensions. Any household or employment survey data on informal employment	National statistical offices, Ministries of Labour, ECLAC, regional and national producers associations. (Data on social dimensions of employment are available though ECLAC, and in some countries though the national statistics office (e.g. Trinidad and Tobago).
Taxes and Transfers	(i) FDI flows ³¹	(i) Central Banks, various ministries, IMF Coordinated Direct Investment Survey. ³²

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²⁸ See: <u>http://www.caricom.org/jsp/pressreleases/press_releases_2011/pres86_11.jsp</u>

²⁹ The 5 categories proposed are broadly derived from the framework proposed in the following OECD document: http://www.oecd.org/dataoecd/46/39/38978856.pdf.

An assessment of regional capacity in the trade statistics is given in "Common Guidelines for the Development of Statistics on International Trade in Services in the CARICOM Region", Caribbean Community (CARICOM) Secretariat and the Caribbean Trade and Competitiveness Development Programme (2005): http://www.caricomstats.org/Files/Tradeinservices/CARICOM%20Trade-in-services%20%20Project/Common%20Guidelines_011105.pdf

The use of mirror data from the EU can only track inward investment from the EU into CARIFORUM. Nonetheless, according to another recent consultancy report on EU-Cariforum investment flows, since 2009 there has been "an operational instrument that conforms to all of the requirements of the 6th Edition of the IMF Balance of Payments manual, and is thus internationally recognised", implying that EU-Cariforum FDI data can be monitored and published regularly in line with international norms through the central banks in the region. See Savingram No. 186/2012 - Review of the Legal Framework in CARIFORUM States with respect to Investment and the flow of Investment between CARIFORUM States and the European Union (EU).

³² Note that this data is not broken down by sector, and may therefore prove of limited use for a thorough monitoring process.

Monitoring area	Potential Indicators	Sources
	(ii) fiscal impacts of tariff reduction (iii) the disbursement of EPA-related development assistance by European partners.	 (ii) Government revenue authorities, trade statistics (see above) (iii) Various government ministries, National Authorizing Officers, Regional Authorizing Officers, EU Regional Indicative Programs, ect
Access to key goods and services	(i) prices of key goods and services (ii) local availability of key services.	National Statistics bureaus, consumer organisations, professional associations, civil society.
Social and environmental issues	Indicators for this area would be mainly qualitative and should be monitored within the framework a consultative process, thereby reinforcing the qualitative aspect of monitoring.	
	(i) Labour standards (An overview of methodologies for compiling qualitative assessments of labour standards in countries can be found in Kucera (2007)). ³³	(i): ILO databases: NORMLEX, NATLEX, TRAVAIL, EPLex, in combination with field assessments.
	(ii) Environmental standards on a case by case basis, using internationally recognised frameworks for Environmental Impacts Assessments. ³⁴	(ii) Indicators deemed relevant in the context of EIAs; e.g. water pollution, deforestation rates, soil erosion, etc
	(iii) Social Safety Nets – different programs in existence, numbers of claimants, amounts of funds disbursed through what programs,	(iii) Data from social security, unemployment data, government spending data on social security programmes

4.4. Data quality and availability

Clearly a major constraint for impact monitoring, in addition to capacity and the need to select priority areas for monitoring, is data quality and availability. This was cited as a major constraint to previous monitoring efforts and was regularly cited as a constraint during interviews for the present study, although there are clearly differences across countries. This is an important constraint, although with little implementation of the agreement there would have been little impact to monitor as such.

³³ Kucera, D. (2007) Qualitative indicators of labour standards: comparative methods and applications.

Note that these assessments often go beyond purely environmental matters to include social matters. This could be justified under the EPA given the overarching objective of sustainable development it is placed under.

Nonetheless, some data does exist. Some regional data is held on the CARICOM regional statistics website³⁵, while every country prepares its national accounts based on data collected by the statistics institute, Ministries, Central Bank and customs. Frequently, while this data exist within each of the organisations, they are rarely requested outside so that some investment is required to make these usable for the purposes of monitoring.

Further, to a degree, data quality and availability are driven by the demand for their use. Although only gradually, therefore, data is likely to improve through time as they are required to feed into broader monitoring processes.

At present much of the regularly available data is at an aggregate level (e.g. on trade in services, derived from the Central Bank balance of payments accounts). This aggregate level data may hide important aspects that would be important for a more detailed understanding of the impact of the EPA, requiring further efforts such as those in Barbados to team up between the Services Coalition and the University of the West Indies to improve data from the services sector. Again, surveys have been undertaken to provide useful data (e.g. by Compete Caribbean with the World Bank enterprise surveys) but to be useful these require to be carried out more regularly and in a way that ensures they are statistically representative.

4.5. Linking national with regional monitoring

Although the EPA is a regional agreement, the basis for monitoring is predominantly national. The results of monitoring of national *compliance* with the agreement would then require to be fed to the regional level to provide a regional overview of where implementation stands, allow experience sharing across national implementation units, information sharing with the EC, and potential peer-review and assistance. *Use* and *impact* analyses are also likely to be more narrowly focused on key sectors at the national level, but should nonetheless inform a broader regional information platform.

As such, it will be important to have some form of institutional framework or platform at the regional level. This will coordinate national monitoring efforts, draw lessons from national experiences for the regional level, and monitor aspects that can only be monitored at a regional level such as aspects of regional integration. At both the national and regional levels these institutional arrangements would ideally draw on existing mechanisms and committees etc to the maximum possible degree, without monitoring becoming a secondary activity with little associated action.

Given the proposal for some form of national monitoring committee, and to establish a Caribbean Export Help Desk, at a practical level, the national-regional monitoring link may be best served by a web-based portal focusing exclusively on monitoring issues, allowing for information to be gathered through the help desk, shared among units, and providing an overall regional framework. This would again serve the common interest of CARIFORUM countries through shared information and experiences, with the major concerns and results summarised in a regular overall regional report. Regional coordination might also be served by a regional Monitoring

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³⁵ See TradeSys page of CARICOM Statistics at: http://www.caricomstats.info/tradsysonline/

Committee under the Joint Trade and Development Committee, with links to the Joint Consultative Committee.

Regardless of the emphasis placed at the regional or national level in guiding monitoring efforts, improving the sharing of information at the regional level will be of major importance. Work is underway to harmonise and improve statistics at the regional level and monitoring is clearly hoped to benefit from this. But beyond data and consolidating information to get a regional picture of EPA implementation, it is also important to share experiences, and to reduce costs by pooling resources and collaborating on common issues where this is relevant and feasible. A case in point from EPA information dissemination would be the production of brochures translating the EPA text into its implications for different private sector groups. While this has been carried out by national units in isolation it is clearly an activity that relates similarly to all countries and in the future could be jointly carried out, saving money and limited human resources. These might also draw on or collaborate with more sector-specific studies, such as that carried out by the tourism sector.³⁶

While the above refers to learning and sharing between countries, existing analysis at the regional level could be more systematically shared through a regional information platform to serve both the private sector and governments. There are a range of ad-hoc studies with implications for trade policy and the EPAs that might provide interesting insights and methodological inputs for other studies in the region. Regional monitoring would require more systematic use of these to inform the ongoing policy cycle.

³⁶ See Caribbean Hotel Association EPA Handbook (2011): http://www.caribbeanhotelassociation.com/Publications ByCHTA.php

5. Setting up a monitoring system

The above discussion outlines a range of contextual issues, and principles that might guide the design of a monitoring system. Although it also highlights the difficulties currently faced in EPA implementation that are also likely to apply to EPA monitoring, this is a reality within which efforts must be made.

There is thus a need to agree on a range of issues: i) the objectives of EPA monitoring, ii) the desirable scope, iii) the relevant actors and how they will interact, and iv) the methodology to apply. This section suggests some of the options that are open to CARIFORUM member countries to discuss and agree on the best approach for each. Clearly the decisions on a monitoring system cannot be taken in isolation from financial constraints. To a certain degree, the more ambitious the proposed system, the more expensive this will be and therefore the less financially sustainable.

Nonetheless, not all steps to improve monitoring would require further resources, simply requiring improved communication between existing institutions and sources of information and data. Where financial assistance might be required could be limited to the financing of coordinating bodies and monitoring of use and impact by outside assistance, with implementation monitoring to be carried out by the CARIFORUM secretariat, which it does to a degree already. Nonetheless, how to sustainably finance a monitoring system will be a key area for discussion.

Although experience and information sharing among institutions involved in EPA implementation and prospective monitoring will be necessary, there is also a need to avoid what Stoneman et al. refer to as "the tyranny of meetings". Making any proposed regional meetings useful and productive will require clarity on the purpose of any such meetings beforehand, an agreed agenda, clarity on the expected outcomes, and a clear expression of how this is expected to feed into the on-going work to implement and monitor EPAs within the region.

5.1. Objectives: options for decision

While the roles of different EPA implementation units vary across countries, to effect a regional system to monitor the EPA will require at least some level of agreement on the overall purpose of monitoring. Nonetheless, while it may be important to establish a regional framework with agreed indicators and templates, this should allow flexibility in terms of the depth of analyses and sectors chosen at the national level.

This study has argued that an *effective* monitoring system would have the objective of incorporating EPA monitoring into the trade policy cycle. This would take EPA implementation and effects as a subset of broader trade policy implementation and impacts, taking regular updates and using these to consult with stakeholders on how policies should adjust (or not) to the information that emerges. This would not necessarily require vast financial resources, but would require political support to ensure cooperation among Ministries and regional bodies to ensure regular and systematic communication and information flows, overseen by a National Monitoring Committee or a similar such

body. This option then implies the need to embrace trade policy monitoring at a broader scale, and as a tool to improve and inform economic policy in all the countries in the CARIFORUM region.

Initially, monitoring would focus on a limited subset of EPA issues. At a minimum this would involve monitoring compliance and drawing on studies at the regional and national levels to inform policy-makers on a limited number of issues in an ad-hoc manner. This might be seen as a preferred option in the short-term, with a broader monitoring set as a medium-term goal. At the same time, it must be recognised that systematising data collection and analysis of the EPA only may become burdensome relative to the information that comes out of the process.

In garnering political support, the 5-year review of the EPA in 2013 serves as an important focal point. A more strategic vision should aim for more continuous efforts with broader benefits. The review should be seen as an opportunity to focus efforts and bring urgency to promoting the implementation and monitoring agenda.

NEXT STEPS

REGIONAL

- Hold technical-level discussions among national and regional stakeholders to discuss the ideas proposed here
- Agree on a regional set of objectives of the monitoring system and a broad framework to guide national contributions to such a system and how this might feed discussions with the EU
- Ensure that monitoring-related decisions form an important element of the agenda of the Joint Consultative Committee
- Put EPA monitoring on the political agenda at the Trade and Development committee meeting planned for 2012.
- Discuss possible financing needs and options for a sustainable regional information platform

NATIONAL

- Organise a consultative national meeting with stakeholders including government, civil society and the private sector to discuss how EPA monitoring could best inform and address their issues, taking into account how decision are made in specific countries' administrations.
- Agree on institutional mechanisms, membership, structure and roles for a National Monitoring Committee or other such national task-force on monitoring. This might involve establishing sectoral working groups or building EPA Monitoring into existing sectoral working groups.
- Discuss potential additional needs and finance sources for strengthening trade policy monitoring. The possibility of using some aspects of the 10th EDF funding for the National EPA focal points and the Regional EPA Implementation Units could be explored.

5.2. Scope: options for decision

Decisions taken regarding the overall objectives of the monitoring system will to a large extent determine its scope. Within discussions of scope there are a number of areas that must be agreed upon. Among the issues are:

- 1. EPA vs trade policy monitoring more generally
- 2. Scope for combining EPA monitoring with CSME monitoring
- 3. Degree to which the above should be addressed in the short and longer-term
- 4. Implementation, use and/or impact monitoring and other alternatives
- 5. Desirable level of monitoring of EPA-related market opportunities vs role of private sector associations
- 6. Priority sectors/areas for data collection and impact analysis

The first five of these will need to be discussed and agreed at a regional level to ensure comparability across the region and avoid duplicative efforts. This is particularly the case of the fourth area, while the fifth will relate to national-level decisions.

Given the approach advocated here of nationally set priorities within a regionally agreed framework and templates, with each country sharing information at a regional level, each country will have to discuss and agree on where its monitoring efforts are best spent according to selected potential impact criteria. These might include: a) the principal EU export sectors; b) priority sectors that have been identified as potential future export sectors; c) sectors considered to be at risk from import competition; and/or d) sectors with large employment shares. To the degree possible, these discussions should be informed by existing studies such as those that have been carried out within member states and for the region by Caribbean Export and the Regional Preparatory Task Force during negotiations.

This does not preclude the possibility of several countries from within the CARIFORUM grouping pooling their efforts for monitoring. A grouped approach might be a feasible approach for some or all of the OECS countries if this were considered desirable. The discussion would merely have to balance the benefits of working together and the loss of detailed analyses for each of the OECS member states.

Further, given the nature of the monitoring exercise and the discussions above, it may be that different member states begin monitoring with different degrees of depth. Certain successful aspects may then be promoted elsewhere in the region and lessons learned across countries. If this can be seen as a gradual process both at the national and regional levels, then it will stand a better chance of success in the long-term.

NEXT STEPS

REGIONAL

- Regional discussions on an agreed scope and broad framework for monitoring must take place, potentially along with discussions on monitoring objectives
- Analyse the possibilities of combining EPA monitoring with CSME monitoring
- Agreement on national focused approach, or country groupings

NATIONAL

- National-level discussions to decide on criteria for selection of priority sectors/areas for monitoring and on sectors themselves
- Overview of areas/sectors already subject to monitoring and analysis through annual budget processes and poverty reduction frameworks etc
- Overview of existing data and potential gaps for priority sectors
- Prioritisation of areas for initial work and sequencing where required

5.3. Actors: options for decision

Clearly the above decisions are best taken on an inclusive basis to ensure involvement of an array of actors and a sense of ownership when the system begins to take shape. An important step, perhaps prior to the above, will be to identify the relevant participants for discussions at the regional and national levels whilst also engaging with the EU.

For initial discussions at the regional level it will be important to have representatives from CARIFORUM countries familiar with the EPA but also trade policy more generally, as well as from the CARIFORUM directorate. ³⁷ It would also be important to involve regional representatives from civil society and private sector associations and coalitions, as well as some potential outsider institutions such as ECLAC and/or university representatives who may be able to play an oversight role in a future monitoring system. On the basis of a meeting of such representatives it will be possible to establish a regional monitoring steering group to ensure coordination of monitoring at the regional level. While the Joint Consultative Committee might undertake such initial discussions, the role of the proposed regional monitoring steering group is envisaged as a coordination and oversight role of the day-to-day of monitoring the EPA and other trade policies.

Bilal et al. (2007) suggest the formation of a Regional Monitoring Steering Group as well as a Regional Monitoring technical group. The former would then have responsibility for issues of coordination and oversight, while the latter would provide technical work on regional integration and drawing conclusions from national monitoring outputs. For example, these roles might respectively be played by the Joint Consultative Committee and ECLAC.

A similar stakeholder identification exercise should take place at the national level within each of the CARIFORUM member states to form a national monitoring committee or working group if not already in existence. This would include identifying interested participants and observers to steer the monitoring process at the national level, including representatives from relevant government ministries, civil society and private sector associations. Based on a national discussion relating to the sectoral focus of monitoring, this would then be in charge of identifying existing data sources, data

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³⁷ Although this could be updated, some initial stakeholder mapping work was carried out in 2009 in the following "CARIFORUM Stakeholder analysis" by the Shridath Ramphal Centre:

<a href="http://www.shridathramphalcentre.org/index.php?option=com_content&view=article&id=722:epa-implementation-stakeholder-analysis-the-cariforum-context&catid=13:src-news<emid=100114

and information gaps, and appropriate institutional mechanisms for carrying out the analysis.

In terms of monitoring EPA compliance, it is proposed that this continue to be carried out by EPA Implementation Units at the national level. This should be accompanied by improved sharing of information among themselves as well as with the regional unit, while also reporting to the national monitoring committee. It will also be important to develop more detailed workplans

For monitoring of EPA use and impact, the institutional setup is likely to vary by country. In some countries there are already established relations between government and the academic community that might be fruitfully employed for more systematic trade policy analysis. Where capacity is relatively strong for economic analysis within Ministries of Trade or Finance, it may be appropriate to pass some of the tasks to such a body. A further option is to build on efforts by the private sector coalitions themselves to gather data on the activities of their members.

Nonetheless, use of an outside body such as a university department brings a number of advantages. One is their own academic interest in having access to and analysing economic, social and environmental data. Another is their relative objectivity in analysing what is inherently a political topic. Relatedly, there may also be an important role for ECLAC to play, given its mandate and prominent role as an independent and objective research institution that can provide assistance on research and analysis. Indeed, it may be considered an option to have ECLAC play a role as coordinator of use and impact analyses given the analysis they already carry out, or a more involved role as a hub for a regional trade policy observatory.

In their "non-paper" on monitoring the CARIFORUM-EU EPA, the EC lays out four organisational choices that may also help discussions. The options they see are as follows:

- 1. Allocate internal resources on CARIFORUM and EU sides for collecting and analysing relevant data.
- CARIFORUM and EU each draw on external expertise to collect and analyse information.
- 3. CARIFORUM and EU jointly mobilise external expertise to collect, analyse and present data.
- 4. Institutionalised monitoring. Both sides would identify and encourage renowned Universities, research institutions or think tanks to invest in setting up a monitoring system of the EPA. The best candidates would be institutions clearly committed to building up capacity for their own research and outreach on the EPA

Under options 1 and 2, both sides would meet in the regional monitoring committee to compare data, develop a shared understanding and report to the TDC, while under options 3 and 4, both sides meet in the monitoring committee to establish the final report to submit to the TDC. These are options that will also need to be discussed explicitly given the need for coordination not only at the regional level but also with the EC.

NEXT STEPS

REGIONAL

- Work with member states and Joint Consultative Committee to identify a regional monitoring committee to coordinate and steer further EPA monitoring discussions, reporting to the TDC
- Agree on an acceptable institutional approach to allow regular and systematic monitoring of EPA implementation progress at a regional level, based on national implementation roadmaps
- Agree on an institution (e.g. ECLAC) or institutional form for monitoring region-wide aspects of EPA and trade-policy implementation in partnership with the EC
- Agree on specific responsibilities in the context of the agreed objectives and scope
- Agree on what to do with monitoring outputs, level of binding commitment to be required from countries and the timing and milestones of a monitoring/trade policy cycle

NATIONAL

- Agree on institutional mechanisms, membership, structure and roles for a National Monitoring Committee or other such task-force(s) on monitoring
- Take steps to identify relevant stakeholders at the national level and establish a monitoring working group if not already established
- Agree on a format and timing for wider, regular consultation with civil society and the private sector to discuss on-going EPA monitoring outcomes
- Identify potential partners for national-level analytical work (Universities, other research bodies at a national or regional level)
- Agree on specific roles and responsibilities within the monitoring system and in line with existing trade and economic monitoring systems and practices

5.4. Methodology: options for decision

The methodology to be applied for monitoring compliance with the agreement is related to establishing a more detailed workplan within each country to allow more effective reporting on implementation progress. It will be necessary to agree on how and when national implementation units will report to the regional EPA implementation unit so that this information can be gathered systematically and easily. The basis for such a system exists. Some discussion should take place to ensure that (revised, more detailed) national roadmaps are easily compatible with the regional roadmap to ensure ease of progress reporting.

For the more analytical tasks of monitoring EPA use and impact, the methodology to be applied will depend to some extent on the priority areas selected for monitoring and the actors who will carry out the analyses. Analyses of use will depend on the sector and the focus of the monitoring. In many cases, descriptive data relating to number of firms and individuals having undertaken trade in goods or services will serve this purpose, although again discussions will be required on the priority areas.

Although it is proposed that national priorities should define what areas receive attention, particularly in initial stages, there will nonetheless be a need for agreed indicators and reporting formats at the regional level. Despite the national focus of agreement implementation and the proposal here for impact analysis also to be carried out at a national level, it will also be important to have a regionally aggregated overview of EPA impact. This could be formed of a mix of specific region-level analyses, as well as a summary of some of the main points from sector-specific national or sub-regional studies.

It will also be important to define an approach that does not require excessive time and complex analysis, whilst also allowing some degree of confidence that impacts can indeed be attributed to trade policy. The results chain approach referred to above is one system where, based on a good understanding of the economy and the linkages in question, one can draw useful inferences from relatively simple techniques, provided the results chains themselves are well thought-out, and data are available as indicators for the different elements of the chain. Again, if agreed to include universities and/or organisations such as ECLAC, these would be able to assist in defining the most appropriate methodologies for specific sectors.

Discussion of monitoring methodologies would also have to focus on what outputs would be expected and with what regularity. While implementation monitoring might be reported on a quarterly or semestral basis, analysis of EPA use and impacts might be more effectively reported on an annual basis. Given the potential synergies with national budgetary planning and reporting, it might be considered useful to make trade policy monitoring a part of that process.

NEXT STEPS

REGIONAL

- Ensure compatibility of regional and national implementation and monitoring roadmaps
- Agree on regularity and format of compliance reporting from national to regional EPA implementation unit
- Agree on topics to be analysed at a regional level and key indicators

NATIONAL

- Based on selected priority areas and with analytical partners, agree on which methodological approaches to use for which areas
- Begin to identify data sources and establish when data are updated and how they can regularly received

5.5. Concrete first steps

While the above provides an overview of the main issues that will need to be discussed and agreed upon at the national and regional levels in order to establish a monitoring system, some concrete initial steps can also be laid out to get the process moving.

- 1. The regional gatherings of EPA units planned with GIZ support should be used as an opportunity to discuss the contents of this study and agree on a pathway forward
- 2. Target putting monitoring on the political agenda for the Trade and Development Committee meeting planned for June 2012 if not already there
- 3. Preparation of a draft document of agreed monitoring principles and basic proposed institutional characteristics for presentation to the Joint Consultative Committee and TDC, also taking into account the EC "non-paper" previously prepared for the TDC
- 4. Break down monitoring requirements into what exists, what could be set up without funding, and what requires additional funding.
- 5. Identify and approach potential funders for medium-term external assistance for short-term EPA use and impact monitoring both for regional oversight roles and national-level analytical assistance.

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7. List of Interviewees

Belgium

Amb. Stephen Fletcher, Ambassador to the EU, Embassy of Grenada Alex Walford, European Commission, DG Trade, Desk Officer Caribbean Ben Nupnau, European Commission, DG Trade, Economic and Trade Affairs manager, Economic Partnership Agreements.

Angela M. VIGLIOTTA MELLA, Counsellor /Commercial Affairs, Embassy of the Dominican Republic, Brussels

Barbados

H.E. Errol Humphrey, Head of EPA Implementation Unit, Barbados

Carlos Wharton, Caribbean Export Development Agency, Senior Trade Policy Advisor **Angela R. Skeete**, Caribbean Export Development Agency, Monitoring and evaluation Expert

Carlene Hamilton, Delegation of the European Union to Barbados and the Eastern Caribbean, Trade and Regional Integration Officer

Claude Bochu, Delegation of the European Union to the Barbados and the Eastern Caribbean, First Counsellor, Head Of Section, Political, Trade, Press and Information **Jan Wimaladharma**, Department for International Development (DfID), Private Sector Development Advisor, Economic Growth Team

Mr. John Malcolm Spence, Caribbean Community (CARICOM) Secretariat, Senior Coordinator, Intellectual Property, Science and Technology Issu, Office of Trade Negotiations.

Lisa Cummins, Exec. Director, Barbados Coalition of Services Industries (BCSI) **June Alleyne Griffin**, Project officer, Caribbean Development Bank/CARTFund **Robert Glass**, GIZ EPA Implementation Support Project, Project Manager

Grenada

Desmond John, National EPA Implementation Coordinator, Ministry of Finance. **Dr. Cecile La Grenade**, De La Grenade Industries LTD., Managing Director **Judy Williams**, Secretary General, GRENCODA, Grenada **Sally Anne Bagwhan Logie**, Permanent Secretary, Ministry of Environment, Foreign Trade and Export

Trinidad and Tobago

Ramesh Ramdeen, Trade Development Specialist, Trinidad & Tobago Manufacturers' Association

Sharon McIntosh, Ministry of Trade and Industry, Programme Coordinator, Trade Implementation Unit

Nirad Tewarie, Chief Executive Officer of the Trinidad & Tobago Coalition of Services Industries (TCSI).

Larry Placide, Director, International Trade Negotiation Unit (ITNU), T&T Chamber of Industry and Commerce

Michael Hendrickson, ECLAC, Economic Affairs Officer.

Guvana

Iván Ogando Lora, Caribbean Community Secretariat, Director General Cariforum Directorate

Brandy Isaacs, Advisor to the **CARICOM** General Secretariat on EPA Implementation issues

Percival Marie, Executive Director, CARIFORUM Resource Mobilization, CARICOM Secretariat

Alexis Downes-Amsterdam, Caribbean Community Secretariat, Legal Officer EPA Implementation Unit

Rhonda G. Wilson, Caribbean Community Secretariat, Private Sector Specialist EPA Implementation Unit

Neville B. Totaram, Ministry of Foreign Trade and International Cooperation, Coordinator National Advisory Committee on External Negotiations

Allyson Francis - Trade in Services & Investment Specialist - **CARICOM** Secretariat EPA Implementation Unit.

Rajdai Jagarnauth, Director, Foreign Trade Department, Min of Trade and Commerce, Guyana

Celine Anselme, European External Action Service, EU Delegation to Guyana, Project Manager

Dominican Republic

Humberto Cristian Perez, Delegación de la Unión Europea en República Dominicana Oficial de Comercio, Sector Privado e Integración Regional

Cesar R. Dargam Espaillat, Viceministro de Relaciones Exteriores para Asuntos Económicos y Negociaciones Comerciales, Ministerio de Relaciones Exteriores Luis Omar Farnández Aybar, Embajador, Secretario de la Comisión Nacional de Negociaciones Comerciales, Ministerio de Relaciones Exteriores

Lic. Yahaira Sosa Machado, Directora, Ministerio de Industria y Comercio Dirección de Comercio Exterior y Administración de Tratados Comerciales

Lic. Lidia Encarnación, Dirección General de Cooperación Multilateral, Directora de Cooperación e Integración Regional

Escipion Oliveira, Caribbean Export, Deputy Executive Director **Eduardo Rodriguez**, Subdirector Tecnico, Direccion General de Aduanas **Vilma I. Arbaje**, VA Consulting