

CHAPTER SIX

TRANSPORT POLICY

ARTICLE 134

Objectives of the Community Transport Policy

1. *The goal of the Community Transport Policy shall be the provision of adequate, safe and internationally competitive transport services for the development and consolidation of the CSME.*
2. *In fulfilment of the goal set out in paragraph 1 of this Article, the Community shall pursue the following objectives:*
 - (a) the organisation of efficient, reliable, affordable transport services throughout the Community;*
 - (b) the development and expansion of air and maritime transport capabilities in the Community;*
 - (c) the promotion of co-operative arrangements for the provision of transport services;*
 - (d) the development of efficient internationally competitive ancillary transport services;*
 - (e) the development of human resources for employment in all areas and at all levels of the transport sector;*
 - (f) the implementation of standards for the development of safe road, riverine, sea and air transport services.*

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ARTICLE 135

Implementation of Community Transport Policy

1. *In order to achieve the objectives of the Community Transport Policy, COTED shall, in collaboration with other Organs of the Community as appropriate, promote, inter alia:*
 - (a) co-ordination of the national transport policies of the Member States;*
 - (b) the implementation of uniform regulations and procedures, consistent with standards and recommended practices, for the development of an efficient multi-modal transport system, particularly in respect of operations, safety, licensing and certification;*
 - (c) the development of required institutional, legal, technical, financial and administrative support for the balanced, sustainable development of the transport sector;*
 - (d) the establishment of measures:*
 - (i) to ensure that the development of the transport sector does not impact adversely on the environment of the Member States and, in particular, the Caribbean Sea;*
 - (ii) for the acquisition and transfer of technology in the transport sector;*
 - and*
 - (iii) for human resources development in accordance with Article 63;*
 - (e) investment in the transport sector, including ancillary services supportive of the sector through, for example, joint ventures;*
 - (f) the removal of obstacles to the provision of transport services by nationals of the Member States in accordance with the relevant provisions of Chapter Three.*
2. *COTED shall develop programmes to facilitate the achievement of the objectives set out in Article 134.*
3. *The Member States shall co-ordinate their actions in order to secure the best terms and conditions for the provision of transport services by service providers.*

ARTICLE 136

Search and Rescue

1. *COTED shall promote co-operation in air and maritime search and rescue operations in the Community, bearing in mind such machinery as may exist for the overall co-ordination of search and rescue services.*
2. *The Member States shall notify COTED of air and maritime equipment and facilities*

available for use in search and rescue operations.

3. The Member States shall collaborate with third States and competent international organisations in search and rescue operations.

ARTICLE 137

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Intra-Community Transport Services

1. The Member States shall adopt uniform standards and recommended practices for the provision of transport services.

2. The Member States shall notify COTED of legislative, regulatory or administrative measures affecting the provision of transport services within their domestic jurisdictions where such measures deviate from uniform standards and recommended practices.

3. The Member States adversely affected by such regulatory or administrative measures may notify COTED of such adverse effects, and shall have recourse to the disputes settlement procedures provided in the Treaty.

ARTICLE 138

Development of Air Transport Services

1. The Member States shall co-operate in:

(a) the development of air transport services in the Community and towards this end may conclude among themselves air transport agreements designed to facilitate the provision of such services;

(b) establishing measures to ensure that the provision of international air transport services in the Community is undertaken by financially viable and technically qualified carriers and operators, and that the Community interest in safety, security and economy of air travel is not prejudiced.

2. COTED shall promote co-operation among the Member States in the registration of aircraft and the enforcement of applicable standards in the air transport industry.

3. The Member States shall co-operate in ensuring uniformity in licensing and certification procedures and equivalencies within the Community for aviation personnel in conformity with international standards.

4. COTED shall promote co-operation among operators of air transport services of the Member States particularly in purchasing of equipment and supplies, the management of inventories, interline and inter-modal operations, code sharing, reservations, insurance, leasing and similar operations.

ARTICLE 139

Aircraft Accident and Incident Investigation

1. The Member States undertake to conduct effective and comprehensive investigations into aircraft accidents and incidents with a view to enhancing the technical conditions for the safe delivery of air transport services.

2. The Member States shall, to the extent practicable, make available appropriate equipment, facilities and personnel to assist in the investigation of aircraft accidents or incidents which occur within the Community and take effective measures to protect the property of victims, relevant evidence and the crash site from interference and unauthorised entry.

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3. The Member States shall collaborate with third States and competent international organisations in the conduct of aircraft accident investigations.

ARTICLE 140

Development of Maritime Transport Services

1. The Member States shall co-operate in the development of maritime transport services in the Community. In particular, the Member States shall co-operate in:

(a) enhancing flag and port State control activities in the Region;

(b) developing and providing expertise in the shipping industry, including the necessary services and infrastructure necessary for the growth of the shipping sector;

(c) protecting the marine environment from the effects of vessel source pollution and in combating the effects of such pollution; and

(d) taking any other action necessary for the sustainable development of the

shipping sector.

2. The Community shall co-operate with competent national, regional and international organisations in establishing conditions for the provision of efficient and affordable maritime transport services among the Member States.

3. COTED shall promote co-operation among the Member States in the implementation of relevant international maritime instruments relating to maritime safety, marine environmental protection, maritime accident investigation and the facilitation of maritime traffic.

4. COTED shall promote and co-ordinate the development of maritime transport services in the Community through, *inter alia*:

(a) the development of proposals for the establishment and upgrade of small vessel enterprises in the Community;

(b) the establishment of a regime of incentives to encourage the development of shipping enterprises in the Community;

(c) measures for the establishment, improvement and rationalisation of port facilities in the Community, to respond to the demands of containerisation, refrigeration and storage of agricultural commodities, nautical and cruise tourism and other special and dedicated services;

(d) co-operation and regular interchange among administrations to promote a harmonised system for the development of maritime transport in the Community;

(e) promotion of joint ventures among Community nationals and with extraregional shipping enterprises to facilitate the transfer of appropriate technology and increase the participation of the Member States in international shipping;

(f) the organisation and harmonisation of training programmes within the Community, the strengthening of the capabilities of training institutions and the ease of access of Community nationals to all aspects of training and development in the shipping industry; and

(g) measures for the development of ancillary services in the shipping industry, including non-vessel operating common carriers, marine insurance, freight forwarding, transshipment and other services.

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5. The Member States shall promote the development of maritime transport services in the Community through, *inter alia*:

(a) the establishment and improvement of port facilities;

(b) the establishment of effective maritime administrations for the regulation of shipping in the respective jurisdictions of maritime safety and marine environmental protection;

(c) the implementation of relevant international maritime instruments related to the safety of shipping and the prevention of vessel source pollution; and

(d) encouraging improved efficiency in ports and in related services to reduce maritime transportation costs.

ARTICLE 141

Special Status of the Caribbean Sea

The Member States shall co-operate in achieving international recognition for the Caribbean Sea as a Special Area requiring protection from the potentially harmful effects of the transit of nuclear and other hazardous wastes, dumping, pollution by oil or by any other substance carried by sea or wastes generated through the conduct of ship operations.