

IN THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
ANTIGUA AND BARBUDA

Claim No: ANUHCV2025/0149

BETWEEN: ALKIVIADES DAVID – *Claimant*

AND DAVID BOIES, et al. – *Defendants*

AFFIDAVIT IN SUPPORT OF PUBLIC INTEREST LEGISLATIVE RECORD

1. Context

I, Alkiviades David, of the Parish of Saint John's, Antigua and Barbuda, Ambassador-at-Large for the Green Economy and Chairman of the SwissX Sovereign Wealth Fund, do hereby make oath and say as follows:

This affidavit is filed in the above-captioned matter for the purpose of placing on judicial record the draft Antigua and Barbuda Carbon Compliance Market Act (2025) (attached hereto and marked 'Exhibit AG'). This Act is submitted in furtherance of Antigua and Barbuda's commitments under the Paris Agreement (Article 6) and the Government's climate and economic development goals.

2. Purpose of Filing

This submission seeks: (a) To formally place the legislative draft on record for the public and environmental benefit of Antigua and Barbuda; (b) To confirm authorship and intellectual origination by the Claimant; and (c) To provide the Court, the Attorney General, and the Ministry of Environment with a copy suitable for judicial notice and evidentiary acknowledgment.

3. Relevance to the Present Case

The legislative framework herein demonstrates the public-interest orientation of the Claimant's work and advocacy for lawful, sustainable economic development; the integration between environmental sovereignty and financial restitution efforts; and the necessity for judicial transparency in advancing climate compliance initiatives consistent with the UN Sustainable Development Goals.

4. Exhibit AG

Annexed and marked 'Exhibit AG' is a true and correct copy of the Antigua and Barbuda Carbon Compliance Market Act (2025), consisting of 15 sections and an explanatory memorandum.

5. Declaration

I make this affidavit in good faith for the advancement of Antigua and Barbuda's lawful environmental and financial sovereignty and for the record of this Honourable Court.

SWORN at St. John's, Antigua and Barbuda

This ____ day of October, 2025

Commissioner of Oaths / Notary Public

Alkiviades David

Claimant

EXHIBIT AG

Antigua and Barbuda Carbon Compliance Market Act (2025)

An Act to establish a legal framework for the generation, verification, registration, and trading of carbon credits within Antigua and Barbuda, and to align national carbon market mechanisms with the country's Nationally Determined Contributions (NDCs) under the Paris Agreement.

1. Short Title

This Act may be cited as the Carbon Compliance Market Act, 2025.

2. Purpose

The purpose of this Act is to establish Antigua and Barbuda's national compliance carbon market, regulate carbon credit issuance and trade under Article 6 of the Paris Agreement, and promote investment in blue-carbon and green-carbon projects.

3. Definitions

Carbon Credit means a tradable certificate representing one metric ton of carbon dioxide reduced, sequestered, or avoided. Authorized Project Developer includes entities licensed by the Ministry of Environment, such as the SwissX Sovereign Wealth Fund.

4. Establishment of National Carbon Market Authority

There is hereby established a body corporate known as the Antigua and Barbuda Carbon Market Authority (ABCMA). The Authority shall oversee certification, approve methodologies, and coordinate with the UNFCCC.

5. Authorization of Project Developers

The Minister may designate qualified entities as Authorized Project Developers responsible for MRV and community benefit sharing.

6. Eligible Projects

Projects qualifying for compliance credits include blue-carbon restoration, biochar, regenerative agriculture, renewable energy, and waste-to-energy initiatives.

7. Verification and Certification

Verification must be conducted by an accredited Designated Operational Entity (DOE). Certified credits shall be recorded in the ABCR with full traceability.

8. Ownership and Transfer

Carbon credits are recognized as financial instruments. Ownership vests in the project proponent unless otherwise specified.

9. Government Revenue and Benefit-Sharing

Ten percent of proceeds from international transfers shall accrue to the National Climate Resilience Fund and ten percent to community programs.

10. Integration with International Systems

The ABCMA shall liaise with the UNFCCC to register Antigua's participation under Article 6 mechanisms.

11. Legal Recognition of Digital Tokens

Carbon credits may be issued digitally on blockchain systems, equivalent to paper certificates.

12. Offences and Penalties

Fraudulent issuance or falsification of MRV data shall attract fines up to EC\$500,000 or imprisonment for up to 5 years.

13. Transitional Provisions

Existing voluntary credits may be grandfathered into the compliance market within six months of this Act's commencement.

14. Regulations

The Minister may make regulations prescribing MRV standards, project approval procedures, and benefit-sharing frameworks.

15. Commencement

This Act shall come into force on such date as the Minister may, by Order published in the Gazette, appoint.

Explanatory Memorandum

This Act provides a comprehensive foundation for Antigua and Barbuda's entry into the global compliance carbon market. It formalizes the issuance, verification, and trading of carbon credits generated by national projects in blue carbon, sargassum composting, biochar, and renewable energy. The Act strengthens economic resilience, supports climate adaptation, and empowers local communities through carbon revenue-sharing and sustainable job creation.