

# **Association of the overseas countries and territories (OCTs) with the European Community as from 1 January 2012**

2012/0024(CNS) - 17/02/2012 - Legislative proposal

**PURPOSE:** to amend Council Decision 2001/822/EC on the association of the overseas countries and territories (OTCs) with the European Community in order to include the French collectivity of Saint-Barthélemy to the list of OTCs concerned by the association.

**PROPOSED ACT:** Council Decision.

**BACKGROUND:** in accordance with the Council Decision 2010/718/EC on 29 October 2010 amending the Treaty on the Functioning of the European Union, the French collectivity of Saint-Barthélemy, formerly an outermost region of the European Union, became an overseas country or territory associated with the European Union on 1 January 2012.

Pursuant to Article 203 of the Treaty on the Functioning of the European Union, the provisions applicable to the overseas countries or territories associated with the European Union must be adopted by the Council of the European Union, acting unanimously. In this connection, Council Decision 2001/822/EC of 27 November 2001 on the association of the overseas countries and territories with the European Community (hereinafter the Overseas Association Decision) came into force on 2 December 2001 and will expire at the end of 2013.

**IMPACT ASSESSMENT:** no impact assessment was carried out.

**LEGAL BASIS:** Article 203 of the Treaty on the Functioning of the European Union (TFEU).

**CONTENT:** the Commission proposes to amend Annex I A of Decision 2001/822/EC to take account of the change of status with regard to the European Union of the island of Saint-Barthélemy, which becomes an overseas country or territory from 1 January 2012.

Decision 2010/718/EU shall apply from 1 January 2012. It is therefore appropriate to apply the measures in Decision 2001/822/EC to the island of Saint-Barthélemy that are favourable to the OCTs and that do not involve obligations for them, apart from those relating to development cooperation financing. In this respect, France has undertaken not to apply for European Development Fund intervention for the island of Saint-Barthélemy under the programming for 2007-2013.

**BUDGETARY IMPLICATION:** there are no budgetary implications.