

Association of the overseas countries and territories with the European Union ("Overseas Association Decision")

2012/0195(CNS) - 25/11/2013 - Final act

PURPOSE: review of the Council Decision on the European Union's relations with Overseas Countries and Territories (OCTs) to promote the economic and social development of the OCTs and to establish close economic relations between them and the Union as a whole.

LEGISLATIVE ACT: Council Decision 2013/755/EU on the association of the overseas countries and territories with the European Union ('Overseas Association Decision').

CONTENT: the Decision establishes **an association of the overseas countries and territories (OCTs) with the Union**, which constitutes a **partnership** to support the OCTs' sustainable development as well as to promote the values and standards of the Union in the wider world. It replaces Council Decision 2001/822/EC on the relations between OCTs and the Union which applies until 31 December 2013.

The association shall be based on **a broad dialogue and consultations** on issues of mutual interest between the OCTs, the Member States to which they are linked and the Commission, and, if appropriate, the European Investment Bank (EIB). The association shall take into account **the diversity of the OCTs** in terms of economic development. A specific treatment shall be established for isolated OCTs.

Objectives, principles and values: moving away from the traditional approach of development cooperation, the partnership between the Union and the OCTs on **three key pillars**: i) enhancing competitiveness of OCTs, ii) strengthening resilience and reducing vulnerability and iii) promoting their cooperation with other partners.

In pursuing those objectives, the association shall respect the **fundamental principles** of liberty, democracy, human rights and fundamental freedoms, the rule of law, good governance and sustainable development, all of which are common to the OCTs and the Member States to which they are linked.

In implementing this Decision, the partners shall be guided by **the principles of transparency and the need for efficiency** and shall equally address the three pillars of OCTs' sustainable development: economic development, social development and environmental protection.

Mutual interests, complementarity and priorities: the association is the framework for policy dialogue and cooperation on issues of mutual interest. Priority shall be given to cooperation in the following areas of mutual interest:

- the **economic diversification of OCTs economies**, including their further integration in world and regional economies;
- the promotion of **green growth**;
- the **sustainable management of natural resources**, including the conservation and sustainable use of biodiversity and ecosystem services;
- the adaptation to and mitigation of impacts of **climate change**;
- the promotion of **disaster risk reduction**;
- the promotion of **research**, innovation and scientific cooperation activities;

- the promotion of **social, cultural and economic exchanges** between the OCTs, their neighbours and other partners.

Recitals: further economic and social development of the OCTs should be mutually supportive and aim, among others:

attaining **social welfare and inclusion**, in particular for vulnerable groups and persons with disabilities;

- to support the efforts of the authorities of the OCTs to derive maximum benefit from local, regional and international **tourism**;
- to reduce the incidence of **communicable diseases** in the OCTs, such as dengue in the Caribbean and the Pacific and chikungunya in the Indian Ocean region, which can have a significant negative impact on health and the economy;
- to contribute to the preservation of the **cultural diversity and identity** of OCTs;
- fostering **good governance** and the fight against organised crime, trafficking in human beings, terrorism and corruption;
- to clarify the rules the EU must apply to OCTs in all operations related to **waste management**;
- provide the possibility to **temporarily withdraw** preferential treatment in respect of all or of certain products originating in the OCTs in cases of fraud;
- to support the development of **services markets** and investment possibilities by improving the market access of OCTs services;
- to cooperate on **sanitary and phyto-sanitary measures** and technical barriers to trade as well as in the protection of intellectual property.

Regional cooperation: the association aims at supporting the OCTs in their efforts to take part in relevant international, regional and/or sub-regional cooperation initiatives as well as regional or sub-regional integration processes, in line with their own aspirations and in accordance with objectives and priorities defined by their competent authorities.

Management of the association: this shall be conducted by the Commission and the OCTs authorities and, where necessary, by the Member State to which the OCTs is linked, in accordance with respective institutional, legal and financial competences.

The dialogue shall be conducted in a flexible manner, formal or informal, in full compliance with the respective institutional, legal and financial powers of the Union, of the OCTs and of the Member States to which they are linked.

The following **instances of dialogue** are established for the purposes of the association:

- **an OCTs-EU forum for dialogue** will gather together annually OCTs authorities, representatives of the Member States and the Commission. Members of the European Parliament, representatives of the EIB, and representatives of the outermost regions shall, where appropriate, be associated with the OCTs-EU Forum;
- **trilateral consultations** will be held, at least four times a year, of the Commission, the OCTs and the Member States to which they are linked;
- **consultative working parties** will be established to follow the implementation of the association.

Funding: financial assistance to the OCTs will be allocated on the basis of uniform, transparent and effective criteria, taking into account the needs and performances of the OCTs. The financial resources granted to the latter will be managed on the basis of a **reciprocal partnership**. The authorities of the

OCTs will assume the responsibility for the formulation and implementation of those policies agreed upon between the parties as cooperation strategies.

Procedures regarding financial assistance should delegate the main responsibility for the 11th EDF programming and implementing cooperation to the OCTs in particular.

ENTRY INTO FORCE: 01.01.2014.

DELEGATED ACTS: the Commission may adopt delegated acts to take into account technological developments and changes in customs legislation. The power to adopt such acts is conferred on the Commission for a period of **five years from 1 January 2014**. The Council may object to a delegated act within a period of two months from the date of notification (this period can be extended for a month). If the Council makes objections, the delegated act will not enter into force.