

Basic information

2012/0195(CNS)

CNS - Consultation procedure
Decision

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

Repealing Decision 2001/822/EC 2001/2033(COS)

Repealed by [2018/0244\(CNS\)](#)

Amended by [2019/0162\(CNS\)](#)

Subject

4.70.06 Outlying and outermost regions, overseas countries and territories

6.30.01 Generalised scheme of tariff preferences (GSP), rules of origin

6.30.02 Financial and technical cooperation and assistance

6.30.03 European Development Fund (EDF)

Procedure completed

Key players

European
Parliament

Committee responsible

DEVE

Development

Rapporteur

[TIROLIEN Patrice \(S&D\)](#)

Appointed

18/09/2012

Shadow rapporteur

[PONGA Maurice \(PPE\)](#)

[GOERENS Charles \(ALDE\)](#)

[GRÈZE Catherine \(Verts /ALE\)](#)

Committee for opinion

EMPL

Employment and Social Affairs

Rapporteur for opinion

[BOULLAND Philippe \(PPE\)](#)

Appointed

24/10/2012

ENVI

Environment, Public Health and Food Safety

The committee decided not to give an opinion.

ITRE

Industry, Research and Energy

The committee decided not to give an opinion.

IMCO

Internal Market and Consumer Protection




The committee decided not to give an opinion.

TRAN

Transport and Tourism









The committee decided not to give an opinion.

	<p>REGI Regional Development</p> <p>The committee decided not to give an opinion.</p>		
	<p>PECH Fisheries</p> <p>RIVELLINI Crescenzo (PPE)</p>	26/10/2012	
	<p>CULT Culture and Education</p> <p>The committee decided not to give an opinion.</p>		
	<p>LIBE Civil Liberties, Justice and Home Affairs</p> <p>The committee decided not to give an opinion.</p>		
Council of the European Union	<p>Council configuration</p> <p>Education, Youth, Culture and Sport</p>	<p>Meetings</p> <p>3275</p>	<p>Date</p> <p>2013-11-25</p>
European Commission	<p>Commission DG</p> <p>International Cooperation and Development</p>	<p>Commissioner</p> <p>PIEBALGS Andris</p>	

Key events			
Date	Event	Reference	Summary
16/07/2012	Legislative proposal published	COM(2012)0362 	Summary
13/09/2012	Committee referral announced in Parliament		
19/02/2013	Vote in committee		
27/02/2013	Committee report tabled for plenary, 1st reading/single reading	A7-0052/2013	Summary
11/03/2013	Debate in Parliament		
12/03/2013	Decision by Parliament	T7-0067/2013	Summary
12/03/2013	Results of vote in Parliament		
25/11/2013	Act adopted by Council after consultation of Parliament		
25/11/2013	End of procedure in Parliament		
19/12/2013	Final act published in Official Journal		

Technical information	
Procedure reference	2012/0195(CNS)
Procedure type	CNS - Consultation procedure

Procedure subtype	Legislation
Legislative instrument	Decision
Amendments and repeals	Repealing Decision 2001/822/EC 2001/2033(COS) Repealed by 2018/0244(CNS) Amended by 2019/0162(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 203
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	DEVE/7/10186

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE502.088	19/12/2012	
Committee opinion	PECH	PE500.506	22/01/2013	
Committee opinion	EMPL	PE500.392	30/01/2013	
Amendments tabled in committee		PE504.181	30/01/2013	
Committee report tabled for plenary, 1st reading/single reading		A7-0052/2013	27/02/2013	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0067/2013	12/03/2013	Summary
European Commission				
Document type		Reference	Date	Summary
Legislative proposal		COM(2012)0362 	16/07/2012	Summary
Document attached to the procedure		SWD(2012)0193 	16/07/2012	
Document attached to the procedure		SWD(2012)0194 	16/07/2012	
Commission response to text adopted in plenary		SP(2013)306	30/04/2013	
Follow-up document		COM(2016)0079 	22/02/2016	Summary
Follow-up document		COM(2017)0084 	21/02/2017	Summary
Follow-up document		COM(2018)0078 	22/02/2018	Summary
Commission document (COM)		COM(2019)0336 	15/07/2019	
Follow-up document		COM(2020)0286 	06/07/2020	

Follow-up document	COM(2021)0378 	08/07/2021	
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Additional information		
Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	
European Commission	EUR-Lex	

Final act	
Decision 2013/0755 OJ L 344 19.12.2013, p. 0001	Summary
Corrigendum to final act 32013D0755R(01) OJ L 076 15.03.2014, p. 0056	Summary

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

2012/0195(CNS) - 22/02/2018 - Follow-up document

In accordance with Council Decision 2013/755/EU on the Association of the Overseas Countries and Territories with the European Union, the Commission presented this report on the progress achieved in the implementation of 11th EDF resources for Overseas Countries and Territories (OCTs) for the year 2017.

Financial support to the OCTs is provided mainly through the European Development Fund (EDF), with an amount of **EUR 364.5 million being allocated under the 11th EDF for the 2014-2020 programming period**. In compliance with the criteria set out in the Overseas Association Decision, **sixteen OCTs are considered eligible** for a territorial allocation under the 11th EDF.

Programming process: the OAD establishes a programming process which is specific to OCTs which is organised around the elaboration of a Programming Document, which has two components: a) the EU response strategy and, b) the Action Document. Only one formal Commission Decision is taken to approve each OCT's Programming Document, covering both the strategic orientations as well as the detailed programme design. Budget support is the preferred implementation modality for territorial allocations in the OCTs.

Situation in 2017:

- **Hurricanes in the Caribbean region:** in September 2017, two Category 5 Hurricanes, Irma and Maria, impacted several Caribbean Overseas Countries and Territories, resulting in widespread damages to housing and basic infrastructure.

The Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO) provided an immediate relief support to the Turks and Caicos Islands (**EUR 60 000**) and to Sint Maarten (**EUR 80 000**) through a regional programme with the Pan-American Health Organisation (PAHO). The interventions focus on small rehabilitation works in affected **health infrastructures**.

In addition, the **European Civil Protection Mechanism** was activated for Sint Maarten by the Netherlands.

As part of the relief efforts, the disbursement of **EUR 3.6 million and EUR 4 million** were immediately realised through the 11th EDF budget support programmes to the **education sectors** of Anguilla and the Turks and Caicos Islands.

An indicative envelope of **EUR 5 million has been reserved as part of the envelope of EUR 60.5 million** pledged by the EU Commissioner for International Cooperation and Development, on behalf of the European Union, to support reconstruction efforts in affected territories and countries during a high-level donor conference that took place in New York on 21 November 2017.

-**11th EDF territorial and regional programmes:** significant achievements have been attained in terms of programming the 11th EDF resources in 2016 and 2017:

- 2016 and 2017 saw the full mobilisation of **Technical Assistance (TA)** to support Territorial and Regional Authorising Officers in the programming process. TA contracts or studies to define OCTs' sectoral strategies or to establish OCTs' eligibility for budget support have been contracted for a total amount of EUR 3.64 million;
- **at the territorial level**, all EU Response Strategies have been endorsed (with the exception of Curaçao and Saint Maarten), whilst Saint Helena has completed the identification phase in the second trimester 2017 and has completed the formulation phase in December 2017;
- in addition to the Programming Documents of **Saint Pierre & Miquelon**, which had been signed in autumn 2016, the five Programming Documents for **New Caledonia, Turks and Caicos Islands, Saba, Saint Eustatius and Anguilla** were signed in February 2017;
- four other Programming Documents for the **Falkland Islands, Pitcairn, Wallis & Futuna and French Polynesia** have been adopted at the end of the year. In addition, the adoption procedure for the Programming Document for **Montserrat**;
- at the regional level, the **Pacific Regional Programme** is the first regional programme that has concluded the formulation phase, whilst the **Caribbean Regional Programme** has successfully completed the identification phase. For the Indian Ocean and the intra-OCTs thematic Regional Programme, the identification phase is ongoing;
- on a final note, the **programming exercise for the 11th EDF supporting measures to the OCTs Association (OCTA)** for a total amount of EUR 1.1 million for the years 2018 – 2019 was also completed in 2017.

The report noted that the **implementation of the 11th EDF sector performance reform programmes** for Saint Pierre and Miquelon, New Caledonia, Anguilla, Saba, Sint Eustatius and the Turks and Caicos Islands are currently ongoing and on-track, whilst the Financing Agreement for the Falkland Islands was signed on 4 December 2017.

Looking ahead: 2018 will be particularly important for OCTs to efficiently conclude the programming exercise for their regional programmes. At the same time, the European Commission will continue **supporting the OCTs affected by hurricanes Irma and Maria** in their reconstruction efforts.

On a more global note, the coming year will also be critical to further advance in reflections concerning the EU financial cooperation with OCTs in light of the outcomes of the discussions of the 16th OCT-EU Forum and of the upcoming impact assessment for the next External Financing Instruments post-2020 and correspondent legislative proposals.

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

2012/0195(CNS) - 21/02/2017 - Follow-up document

Pursuant to Council Decision 2013/755/EU on the association of the overseas countries and territories (OCTs) with the European Union, the Commission presented a report on the implementation of the financial assistance provided to the Overseas Countries and Territories under the 11th European Development Fund.

Financial support to the OCTs is provided mainly through the European Development Fund (EDF), with an amount of **EUR 364.5 million allocated under the 11th EDF for the 2014-2020 programming period**.

In accordance with the criteria established in the overseas association Decision (OAD), **16 OCTs** are considered eligible for a territorial allocation under the 11th EDF.

Programming: the OAD establishes a programming process which is specific to OCTs, organised around a one-step process, the elaboration of a **Programming Document**. Only one formal Commission decision is taken to approve each OCT's Programming Document, covering both the strategic orientations as well as the detailed programme design. **Budget support** is the preferred implementation modality for territorial allocations in the OCTs.

Consultations: consultations between OCTs and the European Commission have taken place since the start of the programming exercise in view of an agreement on potential sectors of cooperation.

Two regional consultation meetings for Caribbean OCTs took place respectively in February and September 2016. Extensive consultations also took place among Pacific OCTs, which allowed to not only advance with the programming exercise but also to reflect on the possibility to make further progress on regional integration, and cooperation with the neighbour ACP countries.

At the political level, the 14th OCT-EU Forum of February 2016 addressed and allowed to reiterate the mutual commitment on important themes of common interest, such as climate change, and investment and growth opportunities for OCTs.

The report noted in particular the signing of a **Joint Declaration between the European Union and 22 Overseas Countries and Territories on reinforced cooperation in the field of sustainable energy**.

Situation in 2016: the proposed concentration sectors for the territorial allocations are markedly grouped around **key themes**, which broadly include:

- environmental issues, climate change, renewable energy and disaster risk reduction (5 of the 16 OCTs, representing 21% of the total 11th EDF indicative territorial allocations);
- social development (youth) or employment/professional inclusion and education/vocational training (5 out of 16 OCTs, representing 33% of 11th EDF indicative territorial allocations);
- sustainable tourism (3 out of 16 OCTs, representing 26% of 11th EDF indicative territorial allocations);
- connectivity and accessibility/digital development (3 out of 16 OCTs, representing 20% of 11th EDF indicative territorial allocations).

In the case of **regional programmes**, the relevant proposals for concentration sectors are the following: (i) Caribbean: sustainable energy and marine biodiversity; (ii) Pacific Ocean: environment and sustainable management of natural resources and (iii) Indian Ocean: observation, management, conservation of terrestrial and marine ecosystem.

For territorial allocations, budget support has been proposed as the implementation modality by most OCTs.

At the territorial level, 10 of 16 programmes have a consolidated strategy and have passed the identification phase, **whilst six programmes have successfully terminated the formulation phase**. Out of those six programmes, four Decisions were formally adopted: (i) for Saint Pierre and Miquelon (September 2016); (ii) for Saba, St. Eustatius and the Turks and Caicos Islands (December 2016).

Lastly, under the OCT Own Resources Envelope, the EIB concluded one loan agreement with **New Caledonia** in 2015, providing an investment loan of EUR 20 million for the construction of a new hospital to be the leading hospital for the whole territory.

The Commission considered it crucial for the OCTs to maintain this momentum throughout 2017. 2017 will also be an occasion to engage in deeper reflection on EU development cooperation with OCTs in light of the results of the outcomes of the 11th EDF performance assessment expected for beginning 2017.

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

2012/0195(CNS) - 27/02/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Development adopted, in the framework of a special legislative procedure (Parliament consultation), a report drafted by Patrice TIROLIEN (S&D, FR) on the proposal for a Council decision on the association of the overseas countries and territories with the European Union ('Overseas Association Decision').

The committee proposes to amend the Commission proposal as follows:

Objectives: in order to ensure that the objectives of the association of the overseas countries and territories (OCTs) with the Union are met, Member calls for the **identity and geographical position** of each OCT to be taken into account, together with its **political, economic and social situation**. They also call for priority to be given to cooperation in areas of mutual interest, such as the promotion of **green growth and green jobs** in all green-growth industries.

Promotion of the association: with an aim to strengthen the relations between themselves, the Union shall ensure effective OCT participation in information and communication programmes, with particular reference to the 'Europe Direct' information centres, in order to bring Europe closer to its citizens in the OCTs.

Regional cooperation: the Union shall also involve the OCTs in its **political dialogue** with OCT neighbours, and shall inform them of the agendas and resolutions or recommendations of the ACP-EU Joint Parliamentary Assembly.

Members consider it crucial that the **members of parliament** representing OCTs at national and Union level must be involved in the process in order to ensure that it is as democratic as possible.

To fulfill the objective of strengthening regional cooperation and promoting OCTs as outposts of the EU in their respective regions, action should be taken to facilitate access by ORs and neighbouring ACP and non-ACP States to the **annual OCT-EU Forum**, where appropriate.

Sustainable management: in the context of the association, Members insist that cooperation in the field of sustainable management and conservation of biodiversity and ecosystem services may concern aid to SMEs engaged in sustainable economic activities, particularly in the **research, farming, crafts and tourism sectors**. In the field of **integrated coastal zone management** may concern conciliation of economic and social activities such as agriculture, maritime and air transports, industry, mining activities and regional planning with the potential of marine and coastal zones in terms of renewable energy, raw materials, whilst taking into account impacts of climate change and land pollution from human and animal activities.

The report underlines the need to strengthen the coordination and cooperation of the Commission and the OCTs associated with the EU thus needs to be strengthened in order to **combat illegal, unreported and unregulated (IUU) fishing effectively**.

When it comes to investing in road infrastructure, Members state that the emphasis should be on **improving public transport and sustainable forms of road transport**.

Areas of cooperation: in the context of the association, cooperation and dialogue should also:

- strengthen the ties between young people living in the OCTs and the Union, among others by **promoting educational and initial, vocational or continuing training**, learning exchanges and mobility of OCT youth and by fostering intercultural learning and mutual understanding between young people;
- ensure that young people are **actively engaged on the labour market** in order to avoid youth unemployment;
- boost **job creation, particularly in SMEs**, by promoting ambitious social standards. The dialogue shall encourage all innovative measures which protect the environment and the health of workers and citizens, aimed at enabling job creation in areas where OCTs have an asset;
- cooperate in order to **exchange best practices** for active labour market policies, a strong social dialogue, labour standards and social protection in order to safeguard the rights of workers.

The association decision should include provisions on: (i) the **free movement of workers** between OCTs and EU Member States; (ii) the establishment of **social dialogue** and the development of social democracy; (iii) cooperation in the area of **health and safety at work**.

The report stresses that emphasis should be placed on the economic impact, particularly in terms of tourism, of exploiting the **potential of heritage sites** in a sustainable way.

Negotiation of trade agreements with third countries: when negotiating a trade agreement with a third country, the Union shall strive to provide for the **extension of the tariff preferences** granted to Union products to products originating in OCTs. Where trade agreements currently being negotiated with third countries risk endangering the traditional trade sectors characteristic of OCTs, the Commission shall carry out **prior impact assessments** of the potential consequences. When completed, those prior impact assessments shall be forwarded by the Commission to the European Parliament, the Council and the governmental and local authorities of the OCTs before the conclusion of the international agreements in question.

Technical assistance: the Commission shall organise at least once a year, preferably in connection with the EU-OCT Forum, a technical meeting of regional authorising officers and authorising officers by delegation with a view to **strengthening the institutionalised technical dialogue** and streamlining the programming and implementation of funds. The Commission shall ensure that the programming rules take account of the OCTs' limited human and administrative resources and their institutional ties with the Member State to which they are linked. In this connection, the **programming document** shall be the subject of an exchange of views between the OCT, the Member State concerned and the Commission. Parliament should be informed of decisions adopted by the Commission.

Breakdown between different instruments: in line with Parliament's mandate in respect of the financial framework, Members call for a **5% increase in overall EDF funding is requested (from EUR 343.4 million to EUR 360.57 million)**. They propose that an additional EUR 2 million should be allocated to technical assistance (**EUR 10 million** instead of EUR 8 million).

Members would like to see the funds allocated to support regional cooperation and integration increased from EUR 105 million to **EUR 120.17 million**.

Derogations: Members call for derogations to be granted to OCTs in respect of fisheries products within the limit of an annual quota of 2 500 tonnes for fisheries products which require automatic derogations: frozen fillets of cod; salted and dried, but not smoked, cod; salted, but not dried or smoked, cod; frozen fillets of halibut, lemon sole, plaice; crab; frozen meat of scallops.

Implementation: although it does not play a co-legislative role in connection with Council decisions of this kind, Members consider that Parliament has the right to be informed of the adoption of delegated acts by the Commission, of any objections to such acts formulated by the Council and of any Council decision to revoke the delegation of powers.

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

2012/0195(CNS) - 12/03/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 582 votes to 24 with 63 abstentions, in the framework of a special legislative procedure (Parliament consultation), a legislative resolution on the proposal for a Council decision on the association of the overseas countries and territories with the European Union ('Overseas Association Decision').

Parliament approves the commission's proposal whilst making the following amendments:

Objectives: in order to ensure that the objectives of the association of the overseas countries and territories (OCTs) with the Union are met, Parliament calls for the **identity and geographical position** of each OCT to be taken into account, together with its **political, economic and social situation**. It also calls for priority to be given to cooperation in areas of mutual interest, such as the promotion of **green growth and green jobs** in all green-growth industries.

OCTs should also be able to participate in Union horizontal programmes, such as the Programme for the Environment and Climate Action (LIFE).

Promotion of the association: Members consider that the Union and the OCTs endeavour to make the association and the shared benefits accruing from it known among their citizens, in particular by promoting the development of links and cooperation between the social partners. The Union shall ensure effective OCT participation in information and communication programmes, with particular reference to the 'Europe Direct' information centres, in order to bring Europe closer to its citizens in the OCTs.

Regional cooperation: the Union shall also involve the OCTs in its **political dialogue** with OCT neighbours, and shall inform them of the agendas and resolutions or recommendations of the ACP-EU Joint Parliamentary Assembly.

Members consider it crucial that the **members of parliament** representing OCTs at national and Union level must be involved in the process in order to ensure that it is as democratic as possible.

Sustainable management: in the context of the association, Members insist that cooperation in the field of sustainable management and conservation of biodiversity and ecosystem services may concern aid to SMEs engaged in sustainable economic activities, particularly in the **research, farming, crafts and tourism sectors**. In the field of **integrated coastal zone management** may concern conciliation of economic and social activities such as agriculture, maritime and air transports, industry, mining activities and regional planning with the potential of marine and coastal zones in terms of renewable energy, raw materials, whilst taking into account impacts of climate change and land pollution from human and animal activities.

The resolution also underlines the need to strengthen the coordination and cooperation of the Commission and the OCTs in order to **combat illegal, unreported and unregulated (IUU) fishing effectively** by supporting local systems of monitoring.

When it comes to investing in road infrastructure, Members state that the emphasis should be on **improving public transport and sustainable forms of road transport**.

Areas of cooperation: in the context of the association, cooperation and dialogue should also:

- strengthen the ties between young people living in the OCTs and the Union, among others by **promoting educational and initial, vocational or continuing training**, learning exchanges and mobility of OCT youth and by fostering intercultural learning and mutual understanding between young people;
- ensure that young people are **actively engaged on the labour market** in order to avoid youth unemployment;
- boost job creation, particularly in SMEs, by promoting ambitious social standards. The dialogue shall encourage all innovative measures which protect the environment and the health of workers and citizens, aimed at enabling job creation in areas where OCTs have an asset such as biodiversity, mineral resources and new technology;
- ensure the training of a qualified workforce to meet labour market needs;
- cooperate in order to **exchange best practices** for active labour market policies, a strong social dialogue, labour standards and social protection in order to safeguard the rights of workers.

Parliament wishes to introduce provisions in the association decision including: (i) the **free movement of workers** between OCTs and EU Member States; (ii) the establishment of **social dialogue** and the development of social democracy; (iii) cooperation in the area of **health and safety at work**.

The resolution stresses that emphasis should be placed on the economic impact, particularly in terms of tourism, of exploiting the **potential of heritage sites** in a sustainable way.

Negotiation of trade agreements with third countries: when negotiating a trade agreement with a third country, the Union shall strive to provide for the **extension of the tariff preferences** granted to Union products to products originating in OCTs. Where trade agreements currently being negotiated with third countries risk endangering the traditional trade sectors characteristic of OCTs, the Commission shall carry out **prior impact assessments** of the potential consequences. When completed, those prior impact assessments shall be forwarded by the Commission to the European Parliament, the Council and the governmental and local authorities of the OCTs before the conclusion of the international agreements in question.

Technical assistance: Parliament recommends that the Commission organise at least once a year, preferably in connection with the EU-OCT Forum, a technical meeting of regional authorising officers and authorising officers by delegation with a view to **strengthening the institutionalised technical dialogue** and streamlining the programming and implementation of funds. The Commission shall ensure that the programming rules take account of the OCTs' limited human and administrative resources and their institutional ties with the Member State to which they are linked. In this connection, the **programming document** shall be the subject of an exchange of views between the OCT, the Member State concerned and the Commission. Parliament should be informed of decisions adopted by the Commission.

Breakdown between different instruments: Parliament calls for a **5% increase in overall EDF funding (from EUR 343.4 million to EUR 360.57 million)**. It proposes that an additional EUR 2 million should be allocated to technical assistance (**EUR 10 million** instead of EUR 8 million).

Members would like to see the funds allocated to support regional cooperation and integration increased from EUR 105 million to **EUR 120.17 million**.

Derogations: Members call for derogations to be granted to OCTs in respect of fisheries products **within the limit of an annual quota of 2 500 tonnes** for fisheries products which require automatic derogations: frozen fillets of cod; salted and dried, but not smoked, cod; salted, but not dried or smoked, cod; frozen fillets of halibut, lemon sole, plaice; crab; frozen meat of scallops.

Implementation: although it does not play a co-legislative role in connection with Council decisions of this kind, Parliament considers that it has the right to be informed of the adoption of delegated acts by the Commission, of any objections to such acts formulated by the Council and of any Council decision to revoke the delegation of powers.

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 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.

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

2012/0195(CNS) - 22/02/2016 - Follow-up document

The Commission presents a report on the implementation of the financial assistance provided to the overseas countries and territories (OCT) under the 11th European Development Fund through the application of the Overseas Association Decision (OAD).

To recall, the Union provides financial support to the OCTs in the context of the association mainly through the European Development Fund, with an amount of **EUR 364.5 million allocated under the 11th EDF-OCT for the 2014-2020 programming period**.

At this stage of implementation, the report's focus remains on programme orientation and design. As operational implementation accelerates and data become available, future reports will progressively address the outcomes and impacts of the assistance, as specified in the Decision.

Programming process for the 11th EDF-OCT: the OAD establishes a programming process which is specific to OCTs: specifically, programming is organised around a one-step process, the elaboration of a **programming document**, which has two components: a) the EU response strategy and, b) the action document(s). OCTs maintain the primary responsibility for the establishment of programming documents, including the priorities upon which their strategies are based and ensuring the necessary local consultation.

Specific guidance has been provided to the OCTs in support of various aspects of the programming process for the 2014-2020 period:

- detailed programming instructions specifically addressed to the OCTs have been drawn up, and have served as a basis to guide the countries and territories;
- the EU's budget support guidelines include specific guidance on the approval and management of budget support operations in the OCTs;
- in order to promote cooperation between OCTs, ACP/neighbouring countries and Outermost Regions, an orientation note was drawn up to encourage common projects funded by the EDF and the European Regional Development Fund (ERDF).

Furthermore, **extensive consultations** between OCTs and the Commission have been taken place. Specific seminars were subsequently held to allow a reflection on common priorities and objectives. Regional OCT conferences took place in the Pacific Ocean and in the Caribbean, and culminated in concrete proposals by OCTs regarding the potential concentration sectors. A partnership working party on environment and climate change was organised in January 2015.

The programming process is also being actively supported with the provision of **technical assistance**. To date, thirteen countries and territories have benefitted from such technical assistance, or are in the process of doing so.

Situation in 2015: the report notes that on the basis of these consultations and the technical assistance provided, **notable progress** has been achieved in 2015 in terms of the initial programming stages. For territorial allocations, **budget support** has been proposed as the implementation modality by most OCTs.

The proposed **concentration sectors** for the territorial allocations are markedly grouped around key themes, which broadly include:

- environmental issues, climate change, renewable energy and disaster risk reduction (accounting for 5 of the 16 OCTs with indicative territorial allocations and representing 21% of the total 11th EDF-OCT territorial allocations);
- social development (youth) or employment/professional inclusion and education/vocational training (accounting 5 out of 16 OCTs and representing 33% of 11th EDF-OCT indicative territorial allocations);
- sustainable tourism (accounting 3 out of 16 OCTs and representing 26% of 11th EDF-OCT indicative territorial allocations);
- connectivity and accessibility/digital development (accounting 3 out of 16 OCTs and representing 20% of 11th EDF-OCT indicative territorial allocations).

The relevant proposals for concentration sectors are as follows:

- Caribbean: sustainable energy and marine biodiversity;
- Pacific Ocean: environment and sustainable management of natural resources (subsectors climate change and biodiversity);
- Indian Ocean: observation, management, conservation of terrestrial and marine ecosystem;
- thematic programme (all OCTs): sustainable use of natural resources. Subsectors include: a) Climate Change, including disaster risk reduction, and b) sustainable energy).

Under the OCT Investment Facility **a EUR 5 million allocation is managed by the EIB**, to finance interest subsidies and technical assistance (with 11th EDF-OCT funding). The EIB concluded one loan agreement with New Caledonia in 2015, providing an interest subsidy of EUR 20 million loan for a hospital modernisation project.

Looking ahead: building on the progress made so far, the Commission considers that the objective of adopting Financing Decisions and approving programming documents for the OCTs in the fourth quarter of 2016 **remains realistic**. In order to meet this timetable, however, OCTs must ensure that the draft programming documents submitted are of high quality, based on well-designed programmes and sound local policy and strategy frameworks. This is particularly important in the case of regional and thematic programmes, where **improved coordination** by the OCTs concerned will be required.

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

2012/0195(CNS) - 25/11/2013 - Corrigendum to final act

Corrigendum to Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union ('Overseas Association Decision') (*Decision first published in the Official Journal of the European Union L 344 of 19 December 2013.*)

Corrigenda to the Decision relate to the following:

Preparation, appraisal and approval of the Programming Document:

- *Article 84(6)*: this should read: 'The OCTs authorities and the Commission shall be jointly responsible for approving the programming document. The Commission shall approve the programming document following the procedure provided for in Article 87.'

Union financial Assistance 11th EDF (allocation between the various instruments):

- *Annex II, Article 1(1)(c)* should read: 'EUR 8,5 million to studies or technical assistance measures in accordance with Article 81 of this Decision, and to an overall evaluation of the Decision to be made four years before it expires, at the latest.'

List of products and working or processing operations which confer originating status.

Annex VI, Appendix II, Harmonised System Heading ex 0307, 'Description of product' should read: 'Molluscs, whether in shell or not, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, dried, salted or in brine; flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption'.

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

2012/0195(CNS) - 16/07/2012 - Legislative proposal

PURPOSE: to modernise the Council Decision on the association of the overseas countries and territories (OCT) with the European Union in order to promote the social and economic development of the OCTs and to establish closer economic relations between the latter and the EU.

PROPOSED ACT: Council Decision.

BACKGROUND: OCTs have been associated to the European Union since the entry into force in 1958 of the Treaty of Rome. Since the adoption in 2001 of the current Overseas Association Decision, the regional and international environments in which OCTs operate has changed considerably. New political priorities have emerged at European and international level, (such as environment, climate change, sustainable management of natural resources) as well as change in global trade patterns.

The OCTs continue to face economic and social problems and/or struggle to found their economies on a sustainable basis.

- The main challenge that OCTs face consists in putting their economies and societies on a sustainable development path by increasing their competitiveness, reducing their vulnerability, increasing environmental resilience, and cooperating with their neighbours and integrating in the regional and/or world economies, where this is possible.
- For the Union, the challenge resides in supporting the OCTs with the accomplishment of these goals and of the purpose of the association, via a framework that is adapted to OCT needs, realities, particularities and diversity. Coherence with the Europe 2020 strategy should be sought as far as its smart growth and sustainable priorities are concerned, promoting support to research, innovation as well as to information and communication technologies (ICT) and sustainable growth capacities as catalysts for socioeconomic development.

IMPACT ASSESSMENT: **three policy options** were examined in detail:

- **Policy option 1:** status quo - renewal of the current Overseas Association Decision without any changes;
- **Policy option 2:** modernisation of the Overseas Association Decision and alignment with EU policy framework;
- **Policy option 3:** several partnership agreements concluded entailing a diversification of EU-OCT relations.

Policy option 2 was chosen, since it would:

- enhance an EU-OCT cooperation based on the mutual interests the stakeholders identified throughout the consultation process;
- promote a more efficient cooperation through a more focus and coordinated action between the Union, the OCTs and their Member States;
- support the OCTs to address sensitive issues undermining their sustainable development, such as climate change, which they cannot tackle alone;
- offer to the OCTs a modernised trade regime with the Union that would 1) entail improved rules and origins and 2) guarantee a treatment for trade in services and establishment that would not be less favourable than the one given by the Union to other third partners, which is not the case under the current framework;
- better reflect the notion of mutual interests than it is currently the case;
- allow the integration of Union policy agenda priorities in the relations between the Union and the OCTs and enhance the EU added value as a global partner in emerging global issues.

LEGAL BASIS: Article 203 of the Treaty on the Functioning of the EU.

CONTENT : the **objectives** of the proposal for a Council decision on the association of the overseas countries and territories with the European Union consist of:

- supporting the promotion of EU values and standards in the wider world;
- establishing a more reciprocal relationship between EU and OCTs based on mutual interests;
- enhancing OCTs' competitiveness;
- strengthening OCTs' resilience and reduce their economic and environmental vulnerabilities;
- promoting cooperation of OCTs with third partners;
- integrating EU policy agenda priorities;
- taking into account changes in global trade patterns and EU trade agreements with third partners.

These objectives will be attained particularly through promoting and supporting:

- the economic and social development of the OCTs ;
- the OCTs' capacities to define and implement policies, strategies, action plans and measures in the areas chosen for cooperation between the parties;
- coordinated cooperation in the field of environment, climate change and disaster risk reduction, in support of the OCTs' sustainable development;
- sustainable resource use and resource efficiency;
- a process decoupling economic growth from environmental degradation;
- excellence and industrial competitiveness within OCTs, through cooperation between the European Union and OCTs in the field of science, technology, including information and communication technologies, research and innovation;
- the provision of high quality education and decent work in the OCTs and regions where they are located;
- the strengthening of OCTs' capacity for surveillance, detection and response to outbreaks of communicable diseases;
- the preservation of the cultural diversity and identity of OCTs;
- effective integration in the regional and world economies and the development of trade in goods and services;
- OCT capacities to formulate and implement policies necessary for the development of their trade in goods and services;
- creating a favourable investment climate to support their social and economic development;
- the OCTs' export and trading capacities.

The approach towards cooperation with the OCTs contained in the Commission's legislative proposal respects the principles of partnership, complementarity and subsidiarity. It proposes that the Union financial assistance to OCTs be based on **programming documents**, for which the competent OCT authorities and the Commission would be jointly responsible and which would define the cooperation strategies between the Union and the OCTs. These cooperation strategies would be based on the development objectives, strategies and priorities adopted by the competent OCT authorities. Activities would be decided upon in **close consultation** between the Commission, the OCTs and their Member States, in full respect of the respective institutional, legal and financial powers of each of the partners.

Without prejudice to the Commission's powers, the **OCT authorities would have primary responsibility** for implementing the operations agreed upon under the cooperation strategy.

The Commission would be responsible for establishing the general rules and conditions regarding these programmes and projects.

BUDGETARY IMPLICATIONS: in the [Commission Communication](#) on "Preparation of the multiannual financial framework regarding the financing of Union cooperation for African, Caribbean and Pacific States and Overseas Countries and Territories for the 2014-2020 period (11th European Development Fund)", an amount of EUR 343.4 million is envisaged for cooperation with the OCTs.

This amount shall be allocated according to a Council Decision to be taken before 31 December 2013 for implementing the Association with the OCTs, of which EUR 338.4 million to finance territorial and regional programmes, and EUR 5 million in the form of an allocation to the EIB to finance interest subsidies and technical assistance in accordance with the Overseas Association Decision.