

**FINAL DECLARATION OF THE OCT – 2005 MINISTERIAL CONFERENCE CONTAINING THE
POLITICAL RESOLUTIONS OF THE REPRESENTATIVES OF THE OVERSEAS COUNTRIES AND
TERRITORIES (OCTS) ON THEIR DISCUSSIONS WITH RESPECT TO THE IMPLEMENTATION
OF THE OCT-DECISION (2001/822/EC)**

POLITICAL RESOLUTIONS

Brussels, 6 December 2005

The UNDERSIGNED REPRESENTATIVES of the Governments of the Overseas Countries and Territories of the European Union (hereinafter "OCTs"),

IN CONSIDERATION OF:

- I. Part I, article 3, sub 1s, and Part IV of the Treaty establishing the European Community (hereinafter "the EC-Treaty"), with special reference to article 182 which states that the objective of the EU-OCT association is to promote the economic and social development of the countries and territories, and the establishment of close relationships between them and the Community as a whole. In accordance with the principles expressed in the pre-amble of the EC Treaty, the EU-OCT association must enable in the first place the promotion of the interests and prosperity of the inhabitants of these countries and territories, in order to lead them to the economic, social and cultural development they expect.
- II. The Decision of the European Council of Ministers of November 27, 2001 regulating the provisions on the association of the Overseas Countries and Territories of the European Community (2001/822/EC) (hereinafter "the OCT-Decision").
- III. The Joint-Position Paper dated December 4, 2003 of France, the Netherlands, the United Kingdom, Denmark, the OCTs and OCTA on the future status of the OCTs within the European Union.
- IV. The Response of the European Commission dated July 15, 2004 to the Joint Position Paper of December 4, 2003.
- V. The OCT-2004 Ministerial Declaration of Tahiti, French Polynesia, of March 30, 2005, consisting the resolutions of the representatives of the overseas countries and territories ("OCTs") on their discussions with respect to the OCT Association ("OCTA") and the implementation of the OCT Decision (2001/822/EC).
- VI. The Report of the President of the Executive Committee dated December 6, 2005 of the work done by the Executive Committee during the year 2005 up to this Ministerial Conference.
- VII. The consultation between the undersigned and their respective delegations at the OCT 2005 Ministerial Conference on December 6, 2005 in Brussels.

RESOLVE AS FOLLOWS:

GENERAL

1. The OCTs affirm that sustained and sustainable development in all their major aspects remain an important challenge for their future. In this connection, they also emphasize that small and vulnerable economies are severely constrained by adverse factors such as their small size, remoteness and limited resources, including institutional and administrative capability, and lack of opportunities to benefit from limited economies of scale. The OCTs therefore call for urgent attention to be given to their special needs and for support by the European Commission for initiatives being undertaken by them to promote sustained and sustainable development.
2. The OCTs believe that global warming has become a major global issue threatening many countries and the global environment and, in particular, that through its various effects, including that of raising the sea level, it will threaten the economies and even the existence of some OCTs. The OCTs therefore call on all governments to commit to the Kyoto Protocol and the Convention on Climate Change and, as a matter of urgency, to make the necessary changes in life style and energy consumption that are consistent with sustainable livelihood throughout the regions.
3. The OCTs recognise that, in a global environment where tariffs are being reduced, the value of their trade preferences is diminishing, and call upon the WTO, the EU and the world trading community to recognise the unique position of small micro economies and to develop policies that avoid their marginalisation and isolation in world trade.
4. The OCTs would like to affirm their continuing willingness to subscribe to international regulatory standards and their keenness to be involved in the creation of these, particularly in the area of financial services and where such standards are necessary for deterring tax fraud, money laundering, terrorism activities and any other criminal practices. However, the OCTs do not support measures which are selective in their application and fail to observe the principle of a level playing field, thus, accruing advantage to EU Member States and key competitor jurisdictions at the risk of destabilising small and still developing economies.
5. Considering the above, the EU and Member States should refrain from committing their overseas territories to observing newly promulgated standards without first arriving at mutual agreement on such standards with the affected territories. In general, the OCTs continue to emphasize the importance of having advance consultations on any issues with the Commission Services before and/or during discussions and negotiations which may lead to measures affecting the OCTs.
6. In conformity with the provisions of the charter of the United Nations, the OCTs call on the Commission to support, in particular, the Falkland Islands, to freely determine their political future. In particular, the Commission is urged, in its negotiations and relations with countries and regional bodies in Latin America, to ensure that this absolute right is not compromised. They also note Mayotte is in the same situation in its relations with the countries and regional organisations in the Indian Ocean¹.

OVERSEAS ASSOCIATION DECISION AND RELATIONSHIP WITH THE EUROPEAN UNION

7. The OCTs call on the European Union to give greater attention and priority to fulfilling the objectives of the OCT Decisions to cherish and enhance the OCTs' special relationship with the European Union and, in particular, to develop operating and fund approval procedures that are proportionate to the relatively smaller amounts involved in funding allocations to OCTs and to their institutional and administrative capabilities and capacities.

¹ Reservation with regards article 6

The Netherlands Antilles and Aruba recognize and support the right of self-determination. However, foreign relations are a responsibility of the Kingdom (the Netherlands, the Netherlands Antilles and Aruba) as a whole. Therefore, the Netherlands Antilles and Aruba make a reservation with regard to article 6 of this Declaration.

8. OCTs are especially vulnerable by virtue of their structural handicaps, such as small size, remoteness and limited resources. This vulnerability gives rise to increased susceptibility in the case of
- natural disasters which regularly cause damage to goods, equipment and means of production.
 - globalisation which exacerbates their structural competitive disadvantage and their inherent dis-economies of scale.

The OCTs call on the European Commission to recognise this vulnerability as a feature of the economic conditions faced by OCTs and to take this into account when assessing eligibility for the future community financial instrument for the OCTs. The Commission is also requested to assist OCTs in developing arrangements for pre and post disaster management by OCTs.

9. The OCTs reiterate their call on the Commission to delegate, in the spirit of decentralized cooperation, more decision-making powers to the local/regional EC-Delegations and the Territorial Authorizing Officers of the OCTs, as long as this will accelerate the overall decision-making process and speed up the preparation, approval and implementation of projects and programs. In this respect, the OCTs believe that greater emphasis should be placed on the concepts of "partnership", "subsidiarity" and "ownership", based on an agreement in principle between the OCT and local project management capabilities followed by mid-term or ex-post evaluation and periodic discussion.
10. The OCTs express their appreciation for the recent acknowledgment by the Commission of certain procedural inadequacies that led to delays in processing applications for funding under both the EDF and Regional Funds and call upon the Commission services involved and OCTA's Executive Committee to give effect to the Commission's new resolution in this area and to work together to make up for the time that has been lost.
11. The OCTs welcome the direct interest taken by Commissioner Louis Michel in implementing the EU-OCT programme. In particular, the OCTs welcome the pledges he made at the 2005 Forum: to meet with OCTA in January 2006 to address issues raised by the OCTs; to ensure that OCTs would be consulted before the adoption of two Communications on the EU's strategies towards the Caribbean and the Pacific respectively; to explore the possibility of supporting OCTs via the budgetary support mechanism rather than on a project-by-project basis; to seek to ensure that the relevant OCTs are able to attend informal regional conferences and seminars as observers; and to establish a Commission inter-service group on OCTs.
12. The OCTs call upon the Commission to simplify the requirements for reporting with respect to both annual reports and the mid-term review and in particular believe that, whilst recognising the need for the Commission to adequately ensure that money is well spent, it should not be necessary to overburden the limited resources that form part of the civil service of OCTs.
13. The OCTs reiterate that OCTs are technically eligible for Community programmes under the OCT Decision. Because there has been a lack of transparency and information for the access to these programs, the OCTs welcome the "draft summary note on OCT access to budget lines and Community programmes" provided by the Commission on 25 November 2005. The OCTs:
- : encourage the Commission, in conjunction with the Member States, to inform their own services and programme controllers of the status of OCTs and their entitlement to access to these programmes and to continue to provide practical and up to date information about the available programs and how OCTs can access these.

: call the attention of the Commission and the Member States on the interest to open all the Community programmes to the OCTs; they also stress the added value such territories, by their geographical situation and cultural composition, can bring to the accomplishment of the EU's programmes objectives.

14. The OCTs believe that the Commission should recognise the possibility that an individual OCT or a group of OCTs may negotiate individual protocols or partnership agreements with the European Union. Given the development of EPAs, these individual arrangements become even more necessary for OCTs that cannot be classified in a region, namely Greenland, Falkland Islands, St Pierre et Miquelon and St Helena.
15. OCTA supports the Caribbean OCTs in implementing the Points of agreement reached at the Martinique regional meeting held in 17-18 November 2005, as outlined in Annex 2 of the President's 2005 Annual Report.
16. The OCTs acknowledge the need for greater regional cooperation and call on the Commission to provide OCTs with more information on the progress of EPA negotiations in each region and greater involvement in the negotiations to enable OCTs to better build their capacity to both cooperate and trade in their respective regions. Such a step would be positive in encouraging better regional economic cooperation which OCTs are actively pursuing. The OCTs encourage the EU to take into account their regional cooperation in its relations with foreign partners.
17. OCTs call on the European Union in the context of the ever diminishing value of trade preferences to work creatively with OCTs to develop opportunities within the special rules on transshipment and origin for OCTs to develop commercial activities and to assist them to diversify their economies and nature of exports to the EU. Taking into consideration the specific possibilities available for e.g. the outermost regions of the European Union, the OCTs advocate that innovative instruments be created by the Commission to promote diversification of activities and OCT exports to the Union.
18. The extra financial resources provided by transshipment operations have proven in the past to be able to contribute significantly to the implementation of a policy of sustainable development in OCTs. The OCTs therefore reiterate that the transshipment facility must continue to be implemented under reasonable and practical conditions. The OCTs also urge the Commission to take into account, on their own individual merit, all the transshipment proposals directly initiated by each OCT.
19. In the framework of economic and trade cooperation, the preferential access of OCTs' products to the European market encourages their exports and contributes to their sustainable development. In the context of the EPA negotiations, the willingness of the Commission to modernise rules of origin will impact OCTs' legislative framework and business opportunities. In this respect OCTs ask the European commission to involve them in the definition of new rules of origin to take into account OCTs' economic vulnerability and limited production capacities.
20. The OCTs call on the Commission and the Member States to inform the OCTs of Agendas and Sessions of the Joint Parliamentary Assembly pursuant to Article 8 of the Overseas Association Decision.
21. The OCTs encourage the Executive Committee to:
 - (1) continue to seek ways to cooperate with the European Commission and other EU institutions in order to effectively implement the provisions of the OCT Decision in keeping

with the objectives as stated in the current article 182 of the EC Treaty, including enhancing the role of the OCTA Chairman in driving forward the OCT Programme, in particular at the appropriate political level of the EU Institutions.

- (2) develop effective working relationships with other relevant international, multi-lateral and regional organizations and institutions; seek to enhance development cooperation with other small island developing states and with institutions dealing with small and micro economies.
- (3) research the impact of global warming on OCTs and the need for disaster planning in preparation for a full debate on these issues at the Greenland Ministerial in September 2006;
- (4) implement the remainder of the Small Island Micro Economies Conference recommendations and, in particular, encourage and where appropriate organise conferences and workshops to increase the exchange of information and experience between members of OCTA;
- (5) place at the centre of their programme the review of the current funding arrangements and the criteria applied with a view to making proposals for the future financial instrument for cooperation and the regional integration of OCTs. The undersigned encourage the Commission to work with OCTA to provide it with the necessary information and replies.

REFERENCE

22. This Declaration shall be referred to as the "Political Resolution of the OCTA – 2005 Ministerial Conference".

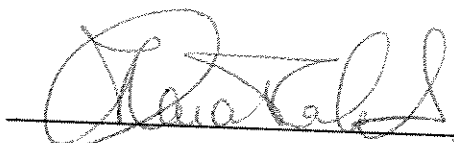
Signed in Brussels, Belgium, this 6th day of December, 2005.

For the Delegation of **Anguilla**:



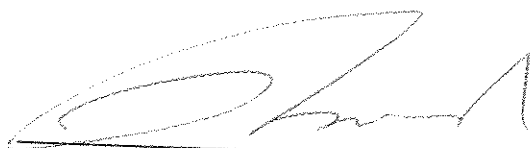
Hon. Victor F. BANKS
Minister of Finance, Economic Development, Investment, Commerce and Tourism

For the Delegation of **Aruba**



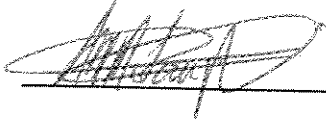
Mrs Maria DIJKHOFF-PITA
Territorial Authorizing Officer
Department of Economic Affairs, Commerce and Industry

For the Delegation of **British Virgin Islands**



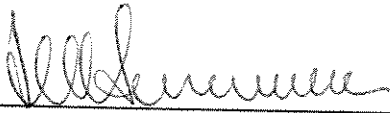
Hon. Dr. D. Orlando SMITH
Chief Minister

For the Delegation of the **Cayman Islands**



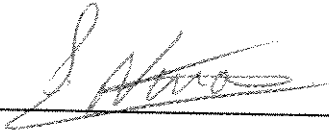
Hon. Alden MCLAUGHLIN
Minister, International Financial Services Policy

For the Delegation of **Falkland Islands**



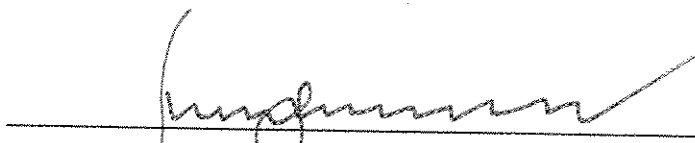
Hon. Michael SUMMERS
Spokesperson for the Legislative Council

For the Delegation of **French Polynesia**



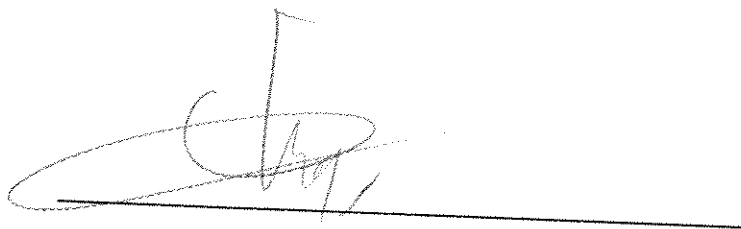
Mr Hans Tauhiti NENA
Minister of Youth and Culture

For the Delegation of **Greenland**




Hon. Josef MOTZFELDT
Minister for Finance and Foreign Affairs

For the Delegation of **Mayotte**



Mr Fahari MADI
Vice-Président du Conseil Général

For the Delegation of **Montserrat**



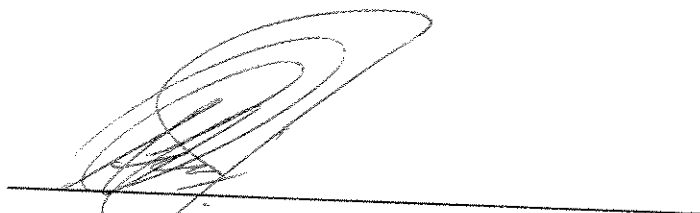
Hon. John OSBORNE
Chief Minister

For the Delegation of **The Netherlands Antilles**

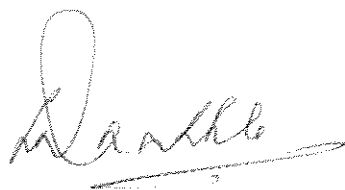


Hon Ernie C. SIMMONS
State Secretary for Development Cooperation

For the Delegation of **New Caledonia**

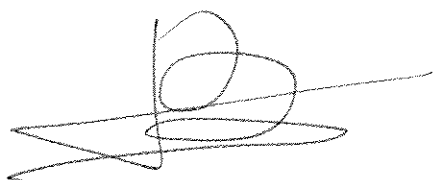


Mr. C. DIVER
Head of Regional Cooperation and External Relations



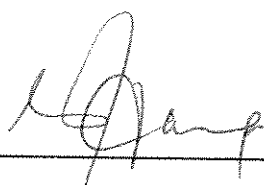
Hon. William DRABBLE
Member of Executive Council

For the Delegation of **Saint Pierre et Miquelon**



Mr Thierry BASLE
Directeur du Développement Economique

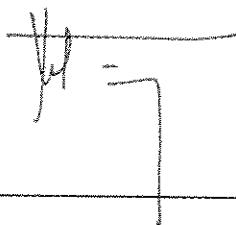
For the Delegation of **Turks and Caicos Islands**



Hon Floyd HALL
Deputy Chief Minister

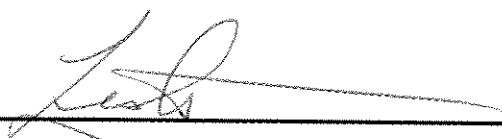
For the Delegation of **Wallis et Futuna**

Abstention Article 6.



Mr. X. de FURST
Préfet, Administrateur Supérieur

For the Delegation of **Pitcairn, Henderson Ducie & Oeno Islands**

A handwritten signature in black ink, appearing to read 'Leslie', with a long horizontal stroke extending to the right.

M. Leslie Jacques OBE
Commissioner