

FINAL DECLARATION OF THE OCT – 2007 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, 26 November 2007

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 1 s, 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-ambule of the EC Treaty, the EUOCT 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 ("the Commission") dated July 15, 2004 to the Joint Position Paper of December 4, 2003
- V. The OCT-2006 Ministerial Declaration of Nuuk, Greenland, of 6 September 2006, 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 of the work done by the Executive Committee during the year 2007 up to this Ministerial Conference
- VII. The concept paper of the European Commission on the future of the EU/OCT association November 2007
- VIII. The consultation between the Undersigned and their respective delegations at the OCT 2007 Ministerial Conference on 26 November 2007 in Brussels

## RESOLVE AS FOLLOWS:

### GENERAL POLICY

1. The OCTs recognise that their small size, remoteness, and inability to benefit from economies of scale constrain their economies and accentuate their vulnerability to natural disasters and economic change; and that globalisation tends to exacerbate their structural competitive disadvantage. The OCTs therefore confirm their commitment to improve cooperation with other similar countries and territories to obtain special recognition internationally that accommodates their specific needs and their particular position in the world economy.
2. Climate change is a major threat to all of the OCTs and their respective economies. The OCTs therefore call on the international community, as a matter of urgency, to encourage their citizens to make the changes in lifestyle and energy consumption that are necessary for sustainable existence throughout the regions and to increase their efforts for effective adaptation measures, without which small islands and polar territories will not be prepared to combat the impacts of climate change
3. The OCTs recognize that actions for the sustainable development of the OCTs could lead to centres of experience and expertise which could be leveraged through partnerships at trilateral, inter OCTs or regional level
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 unfair advantage to EU Member States and key competitor jurisdictions.
5. The OCTs recognize that good governance promotes effective management and performance, and call on the Commission to support the actions undertaken by OCTs. To promote good governance the OCTs are focusing on transparency in government spending, good public engagement, risk management, segregation of roles and functions, building technical capacity, and upholding the values of their respective territories
6. In conformity with the provisions of the Charter of the United Nations, the OCTs call on the Commission to support all OCTs and, in particular, the Falkland Islands, in freely determining their political future. OCTs especially urge the Commission in its negotiations and relations with countries and regional bodies in Latin America, to ensure that this absolute right is not compromised

### OVERSEAS ASSOCIATION DECISION AND RELATIONSHIP WITH THE EUROPEAN UNION

7. The OCTs wish to maintain a privileged partnership with the European Union based on the European citizenship of their population and the specificities and potentials of their territories regarding development aid, environmental, trade and regional integration issues.

### *EDF*

8. The OCTs urge the Commission to program all the 9<sup>th</sup> EDF funds available, including the Mid Term Review reallocations.

9. The OCTs wish, in close cooperation with the Commission and Member States, to make the 10<sup>th</sup> EDF as fruitful as possible in pursuing the objectives set out by the OCT-Decision. To this end, the OCTs:
- (i) call upon the EU to provide fixed, transparent and simplified procedures for the draw-down of funds. These procedures should be agreed with all EU stakeholders prior to the programming phase and should be developed to suit the relatively smaller amounts involved in funding allocations to OCTs bearing in mind the institutional and administrative capabilities and capacities of the OCTs. The OCTs urge the Commission to notify them by the end of 2007 of the guidelines for writing this single document, with detailed and clear description of the EU internal procedures of approval of the SPD, and clear deadlines for comments or approval of documents submitted by the OCTs. The OCTs call upon the EU to enable them to benefit from training sessions in their regions, adapted to their needs, during the 10<sup>th</sup> EDF programming process.
  - (ii) propose that the regional envelope of the 10<sup>th</sup> EDF be distributed on a regional basis, for the Caribbean, Pacific and Indian ocean areas, and a thematic basis for joint sectoral projects from all territories across regions, including the Atlantic ocean. The OCTs call on the EU to facilitate regional cooperation and connection with Outermost Regions and ACP countries for regional programmes and projects.
  - (iii) propose to give a greater emphasis to EU support for OCTA, increasing the Technical Cooperation Fund allocated to OCTA, and involving OCTA in the implementation process of these funds, especially regarding the selection of consultants/experts in charge of the OCTA collective projects.
  - (iv) call on the EU to strengthen technical assistance for the OCTs, affording, on request of each OCT, the possibility to make studies or benchmarking for the benefit of all or some of the OCTs and providing enhanced opportunities for capacity building within the OCT's.
  - (v) call on the EU to support policies on the preservation and the promotion of their cultural assets and their built heritage.
  - (vi) call on the EU to continue to provide the specific and special treatment for the least developed OCTs due to difficulties in transportation, geographical distances, etc.

### ***Environment***

10. Once the trilateral environmental action plan (appended), for protecting and enhancing the environment in the OCTs by 2011, is approved by the stakeholders the OCTs call on the EU to implement this strategy. The plan is broken down by objectives and implementation mechanisms at OCT, Member State and EU level. The strategy shall take particular account of the impact of climate change on the OCTs and set out an EU-OCT vision to address common priorities and improve resilience and adaptation to these challenges.
11. The OCTs call on the EU to support OCT policies on environment and biodiversity and to support OCTs in their desire to ensure that environmental projects supported by the EU in the OCTs make sufficient provision for the territories' specific richness and fragility.
12. The OCTs urge the EU to consider the OCTs in their desire to participate in the dialogue up to the post-Kyoto protocol by involving them in preparatory delegation meetings in Brussels and to secure OCT participation on appropriate level, in conformity with their territorial competencies, in international events or meetings in matters related to climate change.

- 13 The OCTs urge the EU to assist them to participate at seminars and conferences on climate change and other key global environmental issues, which present shared interest for the trilateral cooperation. This should improve the participation and involvement of the OCTs, in conformity with their territorial competencies, in the exchange of knowledge and ideas in order to create a better foundation for cooperation and proactive actions on common EU-OCT issues dealing with climate change.
14. The OCTs call on the EU to give greater attention to the melting of the polar ice caps with the result of a rise of the sea level and to the fact that catastrophic floods contribute to migration. The OCTs call for urgent attention to be given to those who could be gradually uprooted by climate change and to reinforce the cooperation with the EU to prevent the extreme and intolerable situations of "environmental refugees".
- 15 Considering the importance of fishery activities and marine resources for the OCTs, especially highly migratory species and straddling stocks, the OCTs call on the EU to take the specific interests of OCTs into account when negotiating any fishery agreements.

#### *Trade*

- 16 The OCTs regret the Commission's reluctance to allow OCTs to participate as observers in EPA negotiations, even though the EU Treaty does not apply to them; they call on the Commission to enable the OCTs to have more information and smoother access to give input into EPA negotiations in each region to ensure that the EPAs enhance rather than damage the economies of the OCTs and to provide greater assistance to OCTs to build their capacity to integrate and trade regionally and internationally.
- 17 The OCTs recall that, as OCTs do not belong to the EU customs area, the Commission cannot make commitments in the EPA negotiations that affect, whether directly or indirectly, the OCTs competences without previous consultation.
18. In the framework of economic and trade cooperation, the preferential access of the OCTs' products to the European market promotes both trade with the European Union as well as trade within the OCTs' regions, and thereby regional integration. In the context of the EPA negotiations, the Commission's willingness to adapt rules of origin will impact on OCTs economic environment and legislative framework. It is therefore pivotal that the EU informs the OCTs about the revision process and fully consults them in order to set flexible OCTs rules of origin -and flexible derogations that are simpler to administer- that stimulate OCT trade.
- 19 The transshipment facility, which has been able in the past to contribute significantly to the implementation of a policy of sustainable development in OCTs, should be maintained and practical guidelines developed for its implementation.
- 20 The OCTs call on the EU to assist intra-OCT as well as international export of goods and services,
21. The OCTs call upon the Commission and the Member States to secure that the conclusion of the EPA negotiations do not harm the export interests of the OCTs. The OCTs further call upon the Commission and the Member States to secure that the EU and the Member States respect the treaty provisions on free circulation in the Union of all OCT goods and de facto respect the socio-economic importance of the unhindered trade in seal skins.

#### *Horizontal Community Programmes & Budget lines*

22. The OCTs are technically eligible for Community programmes under the OCT Decision, but there has been a lack of transparency and information about access to these programmes. The OCTs reiterate their desire to be involved in the preliminary phase of consultation on relevant developments of Community environmental and other programmes. They urge the Commission and the Member States to assure the eligibility of the OCTs in the work programmes and to develop tailored participation criteria and adapted funding mechanisms for the OCTs in the calls for proposals. The OCTs stress the added value that such territories, as a result of their geographical structure and cultural composition, can bring to the accomplishment of the EU programmes objectives.

23. 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 Community programmes. The OCTs also encourages the Commission to continue to provide practical and up to date information about the available programmes and how OCTs can access these. As an urgent first step, OCTs urge the Commission to prepare a detailed *vade mecum* ("handbook") to assist OCTs in accessing the programmes

#### **General EU**

24. The OCTs call on the EU to assist OCTs in hazard mitigation, emergency planning, and disaster response and recovery. The OCTs also request that the EU provide effective procedures for immediate access to humanitarian funding.
25. The OCTs call on the EU to recognise the importance of relatively small amounts of aid on the sustainable development of OCTs and the need for more effective procedures for small grants
26. The OCTs are especially vulnerable by virtue of factors such as their small size, dis-economies of scale, remoteness and limited resources. This vulnerability gives rise to increased susceptibility in the case of
- natural events and disasters which can lead to the economic and social collapse of a territory
  - Climate change and its consequences for the OCTs
  - globalisation which exacerbates their structural competitive disadvantage and their inherent dis-economies of scale

The OCTs call on the Commission to recognise this vulnerability and establish a formal vulnerability index for the OCTs to consider when assessing eligibility for the future community financial instrument for the OCTs

27. The OCTs emphasise the importance of being consulted when the Commission is preparing documents or engaging in discussions which may lead to measures affecting OCTs. They also call for the Commission to provide positive recognition when OCTs take measures to comply with agreed international commitments for exchange of information and the regulation and supervision of financial services
28. 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.
29. 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 EU. Given the development of EPAs, these individual arrangements become even more necessary for OCTs that cannot be classified in a region, namely Greenland, St Helena and Dependencies, Falkland Islands, Saint Pierre et Miquelon and the Pitcairn Islands.
30. The OCTs encourage the Executive Committee to:
- (i) continue to seek ways to cooperate with the Commission and other EU institutions in order to implement effectively the provisions of the OCT Decision in keeping with the objectives as stated in the current article 182 of the EC Treaty and with the resolutions set out above, 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
  - (ii) develop effective working relationships with other relevant international, multi-lateral and regional organisations and institutions; seek to enhance development cooperation with other small island developing states and with institutions dealing with small and micro economies.

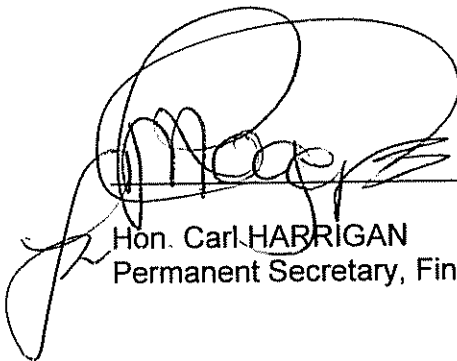
- (iii) implement the remainder of the Small Island Micro Economies Conference recommendations and, in particular, encourage and where appropriate organise conferences and workshops to increase the exchange of information and experience between members of OCTA.
- (iv) obtain the necessary financial resources from the Regional funds to hire appropriate capacity to assist OCTA to develop their programmes and fund applications and to assist in negotiating these with the Commission.
- (v) Implement the strategic plan for the year 2008 – 2013 for ensuring the effective mobilisation of funds and development of programmes for the 10th EDF and prepare the future association framework between the OCTs and the EU. This plan will be subject to review and amendment at the time of the Mid Term Review.

## REFERENCE

1. This Declaration shall be referred to as the "Political Resolution of the OCTA – 2007 Ministerial Conference".

Signed in Brussels, this 26th day of November, 2007.

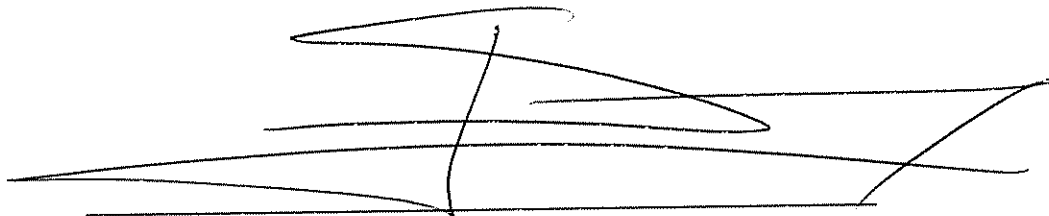
For the Delegation of **Anguilla**:



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Hon. Carl HARRIGAN  
Permanent Secretary, Finance


For the Delegation of **Aruba**



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Mr Nilo J. J. SWAEN  
Minister of Finance and Economic Affairs

For the Delegation of **British Virgin Islands**



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Hon Julian FRASER  
Minister for Communication and Works

For the Delegation of the **Cayman Islands**



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Ms Jennifer DILBERT  
Cayman Islands Government Representative

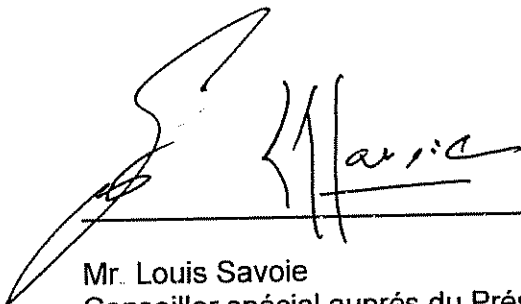
For the Delegation of **Falkland Islands**



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Hon. Michael SUMMERS  
Spokesperson for the Legislative Council

For the Delegation of **French Polynesia**




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Mr. Louis Savoie  
Conseiller spécial auprès du Président



For the Delegation of **Greenland**



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Hon. Aleqa HAMMOND  
Minister for Finance and Foreign Affairs

For the Delegation of **Mayotte**



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Mr Saïd Omar OILI  
Président du Conseil Général

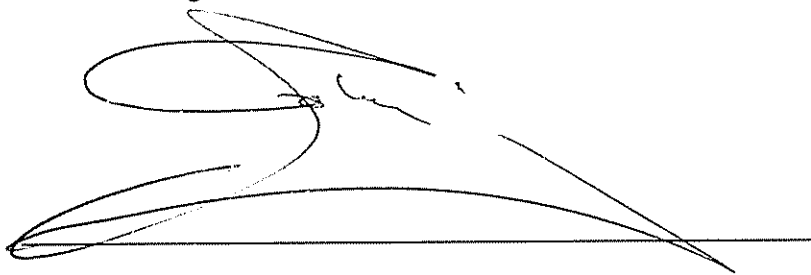
For the Delegation of **Montserrat**



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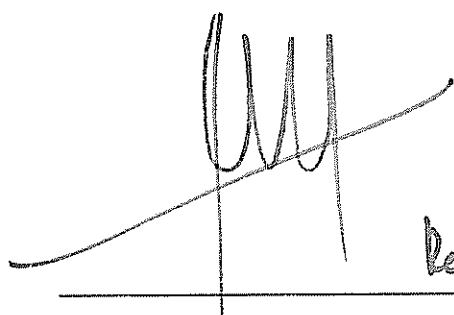
Dr the Hon Lowell LEWIS  
Chief Minister

For the Delegation of **The Netherlands Antilles**



Mr Paul COMENENCIA  
Resident Minister The Hague

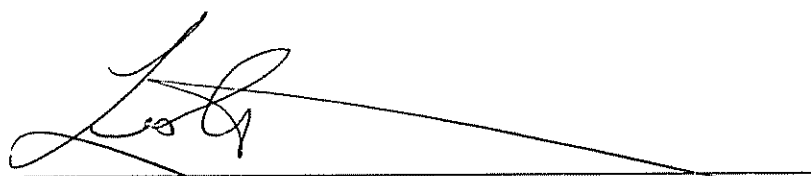
For the Delegation of **New Caledonia**



Reserve point 31. Article 2.

Mr Harlod MARTIN  
Président  
*New Caledonia has a reservation with point 30. (ii)*

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



Mr Leslie JACQUES OBE  
Commissioner

For the Delegation of **Saint Helena**



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Hon Brian ISACC  
Executive Councillor

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



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Mr Stéphane ARTANO  
Président du Conseil Général

For the Delegation of **TAAF**

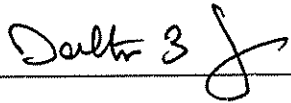
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p/ Mr Serge Goues  
Secrétaire général des TAAF



N. DUWAT

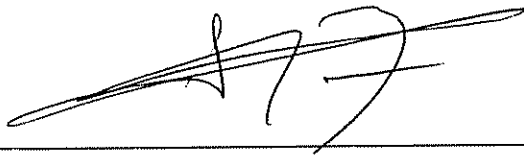
For the Delegation of **Turks and Caicos Islands**



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Mr Delton Jones  
Permanent Secretary, Finance & Territorial Authorising Officer

For the Delegation of **Wallis et Futuna**



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Mr. Robert LAUFOAULU  
Sénateur de Wallis et Futuna  
*Wallis et Fortuna has a reservation with point 30. (ii)*