



2018/0244(CNS)

6.11.2018

DRAFT REPORT

on the proposal for a Council Decision on the association of the overseas countries and territories with the European Union, including relations between the European Union, on the one hand, and Greenland and the Kingdom of Denmark, on the other
(COM(2018)0461 – C8-0379/2018 – 2018/0244(CNS))

Committee on Development

Rapporteur: Maurice Ponga

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▯ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council Decision on the association of the overseas countries and territories with the European Union, including relations between the European Union, on the one hand, and Greenland and the Kingdom of Denmark, on the other ('Overseas Association Decision')
(COM(2018)0461 – C8-0379/2018 – 2018/0244(CNS))

(Special legislative procedure – consultation)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2018)0461),
 - having regard to Article 203 of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C8-0379/2018),
 - having regard to Rule 78c of its Rules of Procedure,
 - having regard to the report of the Committee on Development (A8-0000/2018),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, in accordance with Article 293(2) of the Treaty on the Functioning of the European Union;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a decision

Recital 16

Text proposed by the Commission

(16) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Programme will contribute to mainstream climate action in the Union's policies and to the achievement of an overall target of

Amendment

(16) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Programme will contribute to mainstream climate action in the Union's policies and to the achievement of an overall target of

25 % of the Union's budget expenditures supporting climate objectives. Actions under this Programme are expected to contribute **20** % of the overall financial envelope of the Programme to climate objectives. Relevant actions will be identified during the Programme's implementation and reassessed in the context of its mid-term evaluation and review processes.

25 % of the Union's budget expenditures supporting climate objectives. Actions under this Programme are expected to contribute **30** % of the overall financial envelope of the Programme to climate objectives. Relevant actions will be identified during the Programme's implementation and reassessed in the context of its mid-term evaluation and review processes.

Or. fr

Amendment 2

Proposal for a decision Recital 19

Text proposed by the Commission

(19) The association between the Union and the OCTs should take into account and contribute to the preservation of the cultural diversity and identity of OCTs.

Amendment

(19) The association between the Union and the OCTs should take into account and contribute to the preservation of the cultural diversity and identity of OCTs. ***It should also pay particular attention and contribute to promoting and upholding the rights of the OCTs' indigenous peoples.***

Or. fr

Amendment 3

Proposal for a decision Recital 32

Text proposed by the Commission

(32) This Decision should make reference, where required, to [NDICI Regulation] (Neighbourhood, Development and International Cooperation Instrument) for the purpose of the implementation of the cooperation and thus ensuring coherence in the

Amendment

deleted

Amendment 4

Proposal for a decision Article 1 – paragraph 1

Text proposed by the Commission

1. This Decision establishes an association of the overseas countries and territories (OCTs) with the Union (the ‘association’), which constitutes a partnership, based on Article 198 TFEU, to support the OCTs’ sustainable development as well as to promote the values and standards of the Union in the wider world.

Amendment

1. This Decision establishes an association of the overseas countries and territories (OCTs) with the Union (the ‘association’), which constitutes a partnership, based on Article 198 TFEU, to support the OCTs’ sustainable development as well as to promote the values, ***principles*** and standards of the Union in the wider world.

Amendment 5

Proposal for a decision Article 3 – paragraph 1

Text proposed by the Commission

1. The association between the Union and the OCTs shall be based on objectives, principles and values shared by the OCTs, the Member States to which they are linked and the Union.

Amendment

1. The association between the Union and the OCTs shall be based on objectives, principles and values shared by the OCTs, the Member States to which they are linked and the Union. ***It shall contribute to the achievement of the Sustainable Development Goals as defined in Agenda 2030 and to the implementation of the Paris Climate Agreement.***

Amendment 6

Proposal for a decision Article 3 – paragraph 4

Text proposed by the Commission

4. The general objective of this Decision is to promote the economic and social development of the OCTs and to establish close economic relations between them and the Union as a whole. ***The association shall pursue this general objective by the enhancing the OCTs' competitiveness, strengthening the OCTs' resilience, reducing their economic and environmental vulnerability and the promoting of cooperation between them and other partners.***

Amendment

4. ***In accordance with Article 3(5) and Article 21 of the Treaty on European Union and Article 198 of the Treaty on the Functioning of the European Union,*** the general objective of this Decision is to promote the economic and social development of the OCTs and to establish close economic relations between them and the Union as a whole.

Or. fr

Amendment 7

Proposal for a decision Article 3 – paragraph 5 – point a

Text proposed by the Commission

(a) ***to foster and support cooperation with OCTs,***

Amendment

deleted

Or. fr

Amendment 8

Proposal for a decision Article 3 – paragraph 5 – point b

Text proposed by the Commission

(b) to support ***and to cooperate with Greenland*** in addressing ***its*** major challenges ***as the raising of*** education level ***and to contribute to the capacity of the administration of*** Greenland ***to formulate***

Amendment

(b) to support ***the OCTs*** in addressing ***the*** major challenges ***they face, including*** education ***for*** Greenland;

and implement national policies.

Or. fr

Amendment 9

Proposal for a decision

Article 3 – paragraph 5 – point b a (new)

Text proposed by the Commission

Amendment

(ba) to strengthen the resilience of the OCTs by reducing their economic and environmental vulnerability;

Or. fr

Amendment 10

Proposal for a decision

Article 3 – paragraph 5 – point b (new)

Text proposed by the Commission

Amendment

(bb) to enhance the competitiveness of the OCTs:

Or. fr

Amendment 11

Proposal for a decision

Article 3 – paragraph 5 – point b c (new)

Text proposed by the Commission

Amendment

(bc) to promote cooperation between the OCTs and other partners.

Or. fr

Amendment 12

Proposal for a decision Article 3 – paragraph 6

Text proposed by the Commission

6. 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.

Amendment

6. In pursuing those objectives, the association shall respect the fundamental principles of democracy, ***a rights-based approach encompassing all*** 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. ***The same applies to the principle of non-discrimination on the grounds of sex, race, ethnic origin, religion, disability, age or sexual orientation and the principle of promoting equality between men and women.***

Or. fr

Amendment 13

Proposal for a decision Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

In the programming and implementation process, and in particular when adopting its guidelines, the Commission shall take due account of the limited administrative and human capacities of the OCTs.

Or. fr

Amendment 14

Proposal for a decision Article 5 – paragraph 2 – point e

Text proposed by the Commission

(e) the promotion of disaster risk reduction;

Amendment

(e) the promotion of disaster risk reduction, ***taking into account the priorities set out in the Sendai Framework for the period 2015-2030***;

Or. fr

Amendment 15

Proposal for a decision

Article 5 – paragraph 2 – point h a (new)

Text proposed by the Commission

Amendment

(ha) Caribbean and Pacific issues.

Or. fr

Amendment 16

Proposal for a decision

Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. The association aims at supporting cooperation between the OCTs and other partners in the areas of cooperation set out in Parts II and III of this Decision. In that respect, the objective of the association is to promote the cooperation between the OCTs and the outermost regions, referred to in Article 349 TFEU, their neighbouring ACP and non ACP states and territories. In order to achieve that objective, the Union shall improve coordination and synergies between the relevant Union programmes. The Union shall ***also endeavour to*** associate OCTs in its instances of dialogue with their neighbouring countries, whether they are ACP or non-ACP States or territories, and with the outermost regions,

3. The association aims at supporting cooperation between the OCTs and other partners in the areas of cooperation set out in Parts II and III of this Decision. In that respect, the objective of the association is to promote the cooperation between the OCTs and the outermost regions, referred to in Article 349 TFEU, their neighbouring ACP and non ACP states and territories. In order to achieve that objective, the Union shall improve coordination and synergies between the relevant Union programmes. The Union shall associate OCTs in its instances of dialogue with their neighbouring countries, whether they are ACP or non-ACP States or territories, and with the outermost regions, where

where appropriate.

appropriate, *by offering to grant them observer status.*

Or. fr

Amendment 17

Proposal for a decision

Article 7 – paragraph 4 – point a (new)

Text proposed by the Commission

Amendment

(aa) capacity building of the OCTs to influence the adoption of regional strategies which take account of their specific characteristics, their potential and their European perspective;

Or. fr

Amendment 18

Proposal for a decision

Article 9 – title

Text proposed by the Commission

Amendment

Specific treatment

Specific treatment *for isolated OCTs*

Or. fr

Amendment 19

Proposal for a decision

Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Specific treatment for the least developed OCTs

1. The association shall take into account the diversity of the OCTs in terms of their

level of development and structural constraints.

2. A specific treatment shall be established for the least developed OCTs.

3. In order to allow the least developed OCTs to catch up and to address their permanent structural constraints, due account shall be taken of their specific characteristics when determining the volume of financial assistance and the conditions attached to it.

4. The OCT considered to be the least developed is Wallis and Futuna.

Or. fr

Amendment 20

Proposal for a decision Article 10 – paragraph 1

Text proposed by the Commission

1. 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).

Amendment

1. 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, the Commission *and the European Parliament*, and, if appropriate, the European Investment Bank (EIB).

Or. fr

Amendment 21

Proposal for a decision Article 12 – title

Text proposed by the Commission

Responsibilities of the non-governmental actors

Amendment

Responsibilities *of civil society and* of the non-governmental actors

Or. fr

Amendment 22

Proposal for a decision Article 12 – paragraph 1

Text proposed by the Commission

1. *Non-governmental* actors may play a role in the exchange of information and consultations concerning the cooperation, and in particular for the preparation and implementation of cooperation assistance, projects or programmes. They may receive a delegation of financial management powers for implementing such projects or programmes for the purpose of supporting local development initiatives.

Amendment

1. ***Civil society, the private sector and non-governmental*** actors may play a role in the exchange of information and consultations concerning the cooperation, and in particular for the preparation and implementation of cooperation assistance, projects or programmes. They may receive a delegation of financial management powers for implementing such projects or programmes for the purpose of supporting local development initiatives.

Or. fr

Amendment 23

Proposal for a decision Article 13 – paragraph 3

Text proposed by the Commission

3. The dialogue shall enable the OCTs to take a full part in the implementation of the association.

Amendment

3. The dialogue shall enable the OCTs to take a full part in the implementation of the association, ***and also in the definition and implementation of the European Union's regional strategies in the areas in which the OCTs are located.***

Or. fr

Amendment 24

Proposal for a decision Article 13 – paragraph 4

Text proposed by the Commission

4. The dialogue shall focus, inter alia, on specific political issues of mutual concern or of general significance for the attainment of the objectives of the association.

Amendment

4. The dialogue shall focus, inter alia, on specific political issues of mutual concern or of general significance for the attainment **both** of the objectives of the association **and of the Sustainable Development Goals**.

Or. fr

Amendment 25

Proposal for a decision

Article 13 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. The dialogue with the Caribbean OCTs serves, in particular, to strengthen the European strategy in the Caribbean region and to cooperate on issues relating to biodiversity, climate change, sustainable resource management and disaster risk prevention and management, as well as on promoting good governance and tackling organised crime.

Or. fr

Amendment 26

Proposal for a decision

Article 13 – paragraph 5 b (new)

Text proposed by the Commission

Amendment

5b. The dialogue with the Pacific OCTs serves, in particular, to define and implement an ambitious European strategy in the Pacific region through a strengthening of the European presence, and to cooperate on issues such as sustainable resource management,

Amendment 27

Proposal for a decision

Article 14 – paragraph 1 – point a

Text proposed by the Commission

(a) an OCTs-EU forum for dialogue (the ‘OCT-EU Forum’), shall meet annually to bring together 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;

Amendment

(a) an OCTs-EU forum for **political** dialogue (the ‘OCT-EU Forum’), shall meet annually to bring together OCTs' authorities, representatives of the Member States, the Commission, **the Council Presidency and** the European Parliament. **The association of OCTs (OCTA)**, representatives of the EIB, representatives of the outermost regions **and representatives of third countries or territories neighbouring OCTs** shall, where appropriate, be associated with the OCTs-EU Forum;

Amendment 28

Proposal for a decision

Article 14 – paragraph 1 – point b

Text proposed by the Commission

(b) on a regular basis, the Commission, the OCTs and the Member States to which they are linked shall hold trilateral consultations. These consultations shall be organised at least **three** times a year on the initiative of the Commission or at the request of the OCTs and of the Member States to which they are linked;

Amendment

(b) on a regular basis, the Commission, the OCTs and the Member States to which they are linked shall hold trilateral consultations. These consultations shall be organised at least **four** times a year on the initiative of the Commission or at the request of the OCTs and of the Member States to which they are linked;

Amendment 29

Proposal for a decision Part 2 – chapter 1 – title

Text proposed by the Commission

ENVIRONMENTAL ISSUES, CLIMATE
CHANGE, OCEANS AND DISASTER
REDUCTION

Amendment

ENVIRONMENTAL ISSUES, CLIMATE
CHANGE, OCEANS AND DISASTER
RISK REDUCTION

Or. fr

Amendment 30

Proposal for a decision Article 15 – paragraph 1 – introductory part

Text proposed by the Commission

In the context of the association,
cooperation in the field of environment,
climate change **and** disaster risk reduction
may concern:

Amendment

In the context of the association,
cooperation in the field of environment,
climate change, disaster risk reduction **and**
strengthening resilience may concern:

Or. fr

Amendment 31

Proposal for a decision Part 2 – chapter 4 – title

Text proposed by the Commission

YOUTH, EDUCATION, TRAINING,
HEALTH, EMPLOYMENT, SOCIAL
SECURITY, FOOD SAFETY AND
FOOD SECURITY

Amendment

YOUTH, **WOMEN**, EDUCATION,
TRAINING, HEALTH, EMPLOYMENT,
SOCIAL SECURITY, FOOD SAFETY
AND FOOD SECURITY

Or. fr

Amendment 32

Proposal for a decision Article 32 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Union and the OCTs shall cooperate to ensure that young people are actively engaged in the labour market in order to tackle youth unemployment.

Or. fr

Amendment 33

Proposal for a decision Article 32 a (new)

Text proposed by the Commission

Amendment

Article 32a

Equality between men and women

1. The Union shall seek to promote equality and equity between the men and women of the OCTs as well as the empowerment of women and equal political and economic opportunities for women.

2. The association aims at protecting the rights of women and girls, including against all forms of violence.

3. The association also aims at promoting the empowerment of women, particularly as regards the role they play in sustainable development and in the economy and finance.

All initiatives should incorporate the gender dimension.

Or. fr

Amendment 34

Proposal for a decision

Article 38 – title

Text proposed by the Commission

Performing arts

Amendment

Performing arts ***and plastic arts***

Or. fr

Amendment 35

Proposal for a decision

Article 38 – paragraph 1 – introductory part

Text proposed by the Commission

In the context of the association, cooperation in the field of performing arts may concern:

Amendment

In the context of the association, cooperation in the field of performing arts ***and plastic arts*** may concern:

Or. fr

Amendment 36

Proposal for a decision

Article 38 – paragraph 1 – point a

Text proposed by the Commission

(a) the facilitation of increased contacts between practitioners of performing arts in areas such as professional exchanges and training including participation in auditions, development of networks and promotion of networking;

Amendment

(a) the facilitation of increased contacts between practitioners of performing arts ***and plastic arts*** in areas such as professional exchanges and training including participation in auditions, development of networks and promotion of networking ***through adequate financial support***;

Or. fr

Amendment 37

Proposal for a decision

Article 38 – paragraph 1 – point a (new)

Text proposed by the Commission

Amendment

(aa) the promotion of OCT artistic productions in the Union

Or. fr

Amendment 38

Proposal for a decision

Article 39 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

In the context of the association, cooperation in the field of tangible and intangible cultural heritage and historic monuments aims at allowing the promotion of exchanges of expertise and best practices through:

In the context of the association, cooperation in the field of tangible and intangible cultural heritage and historic monuments aims at allowing the promotion of exchanges of expertise and best practices ***and optimising the potential of such sites on a sustainable basis*** through:

Or. fr

Amendment 39

Proposal for a decision

Article 39 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) Cooperation may also seek to enhance knowledge, conservation and the status of the OCTs' tangible and intangible cultural heritage.

Or. fr

Amendment 40

Proposal for a decision Part 2 – chapter 6 – title

Text proposed by the Commission

FIGHT AGAINST ORGANISED CRIME

Amendment

PROMOTION OF THE RULE OF LAW

Or. fr

Amendment 41

Proposal for a decision Article -41 (new)

Text proposed by the Commission

Amendment

Article -41

Promotion of the rule of law

1. The association aims at promoting the principles of democracy, the rule of law and respect for the human rights and fundamental freedoms on which it is founded, through dialogue and cooperation between the Union and the OCTs.

2. The OCTs, as outposts of the Union, are major players in disseminating the values and principles of the European Union in their respective regions.

Or. fr

Amendment 42

Proposal for a decision Article 41 – title

Text proposed by the Commission

Fight against organised crime, trafficking in human beings, child sexual abuse and sexual exploitation, terrorism and

Amendment

Preventing and fighting against organised crime, trafficking in human beings, child sexual abuse and sexual exploitation,

corruption

terrorism and corruption

Or. fr

Amendment 43

Proposal for a decision

Article 41 – paragraph 1 – introductory part

Text proposed by the Commission

1. In the context of the association, cooperation in the field of organised crime may include:

Amendment

1. In the context of the association, cooperation in the field of ***preventing and fighting against*** organised crime may include:

Or. fr

Amendment 44

Proposal for a decision

Article 42 – paragraph 1 – point i a (new)

Text proposed by the Commission

Amendment

(ia) exchange views on the regional integration of the OCTs and on the effects of free trade agreements concluded by the Union with third countries on the basis of the impact assessments carried out.

Or. fr

Amendment 45

Proposal for a decision

Article 59 – paragraph 1 – point 4

Text proposed by the Commission

4. aid granted through state resources by an OCT which distorts or threatens to distort competition by

Amendment

deleted

favouring certain undertakings in so far as it has a significant negative effect on trade or investment.

Or. fr

Amendment 46

Proposal for a decision Article 70 – paragraph 1

Text proposed by the Commission

The Union and the OCTs shall make their best endeavours to ensure that internationally agreed standards for regulation and supervision in the financial services sector and for the fight against tax evasion and avoidance are implemented and applied in their territory. Such internationally agreed standards are, inter alia, the Basel Committee's 'Core Principle for Effective Banking Supervision', the International Association of Insurance Supervisors' 'Insurance Core Principles', the International Organisation of Securities Commissions' 'Objectives and Principles of Securities Regulation', the OECD's 'Agreement on exchange of information on tax matters', the G20 'Statement on Transparency and exchange of information for tax purposes', the Financial Stability Board's 'Key Attributes of Effective Resolution Regimes for Financial Institutions.

Amendment

The Union and the OCTs shall make their best endeavours to ensure that internationally agreed standards for regulation and supervision in the financial services sector and for the fight against tax evasion and avoidance are implemented and applied in their territory. Such internationally agreed standards are, inter alia, the Basel Committee's 'Core Principle for Effective Banking Supervision', the International Association of Insurance Supervisors' 'Insurance Core Principles', the International Organisation of Securities Commissions' 'Objectives and Principles of Securities Regulation', the OECD's 'Agreement on exchange of information on tax matters', the G20 'Statement on Transparency and exchange of information for tax purposes', the Financial Stability Board's 'Key Attributes of Effective Resolution Regimes for Financial Institutions *or the United Nations Convention against Transnational Organised Crime and the Protocols Thereto.*

Or. fr

Amendment 47

Proposal for a decision Article 72 – paragraph 1 – point a

Text proposed by the Commission

(a) adequate financial resources and appropriate technical assistance aimed at strengthening the OCTs' capacities to formulate and implement strategic and regulatory frameworks;

Amendment

(a) adequate financial resources and appropriate technical assistance ***under this Decision*** aimed at strengthening the OCTs' capacities to formulate and implement strategic and regulatory frameworks;

Or. fr

Amendment 48

Proposal for a decision

Article 72 – paragraph 1 – point b

Text proposed by the Commission

(b) long term financing to promote private sector growth;

Amendment

(b) long term financing ***under this Decision*** to promote private sector growth;

Or. fr

Amendment 49

Proposal for a decision

Article 72 – paragraph 1 – point c

Text proposed by the Commission

(c) ***where appropriate***, other Union Programmes ***may*** contribute to actions established under this Decision, provided that the contributions do not cover the same costs. ***This Decision may also contribute to measures established under other Union Programmes, provided that the contributions do not cover the same costs. In such cases, the work programme covering those actions shall establish which set of rules shall be applicable.***

Amendment

(c) ***additional financing through*** other Union Programmes ***to*** contribute to actions established under this Decision, provided that the contributions do not cover the same costs.

Or. fr

Amendment 50

Proposal for a decision

Article 72 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

This Decision may also contribute to measures established under other Union programmes, provided that the contributions do not cover the same costs. In such cases, the work programme covering those actions shall establish which set of rules shall be applicable.

Or. fr

Amendment 51

Proposal for a decision

Article 73 – paragraph 1

Text proposed by the Commission

Amendment

1. The financial envelope for the Programme for the period 2021-2027 shall be set at EUR **500 000 000** in current prices.

1. The financial envelope for the Programme for the period 2021-2027 shall be set at EUR **669 000 000** in current prices.

Or. fr

Amendment 52

Proposal for a decision

Article 74 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) ‘programmable aid’ means the non-repayable aid allocated to the OCTs in order to finance territorial, regional and intra-regional strategies and priorities set out in programming documents;

(a) ‘programmable aid’ means the non-repayable aid allocated to the OCTs in order to finance territorial, regional and intra-regional strategies and priorities, ***where appropriate***, set out in programming documents;

Amendment 53**Proposal for a decision****Article 74 – paragraph 1 – point g***Text proposed by the Commission*

(g) ‘intra-regional allocation’ means an amount - within the regional allocation - allocated for the programmable aid in order to finance intra-regional cooperation strategies and priorities involving ***at least one OCT and one or more outermost regions*** referred to in Article 349 TFEU ***and/or one or more ACP States and/or one or more non-ACP States or territories.***

Amendment

(g) ‘intra-regional allocation’ means an amount - within the regional allocation - allocated for the programmable aid in order to finance intra-regional cooperation strategies and priorities involving ***the bodies*** referred to in Article 82 of ***this Decision.***

Or. fr

Amendment 54**Proposal for a decision****Article 74 a (new)***Text proposed by the Commission**Amendment****Article 74a******General principle***

Except where specific provisions are laid down in this Decision, Union financial assistance shall be implemented in accordance with Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council^{1a} (Financial Regulation) and with the objectives and principles of this Decision.

^{1a} Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of

the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014 and (EU) No 283/2014 and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

Or. fr

Amendment 55

Proposal for a decision

Article 75 – paragraph 3 – point a

Text proposed by the Commission

(a) be implemented with due regard to the *OCTs* respective geographical, social and cultural characteristics, as well as their specific potential;

Amendment

(a) be implemented with due regard to the *OCTs*' respective geographical, ***economic and financial, environmental,*** social and cultural characteristics, as well as their specific potential;

Or. fr

Amendment 56

Proposal for a decision

Article 75 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Union funding may be provided through the types of financing envisaged by the Financial Regulation, and in particular:

(a) grants;

(b) procurement contracts for services, supplies or works;

(c) budget support;

(d) contributions to trust funds set up by the Commission, in accordance with

Article 234 of the Financial Regulation;

(e) financial instruments;

(f) budgetary guarantees;

(g) blending;

(i) financial assistance;

(j) remunerated external experts.

In the context of programmable aid, Union financial assistance shall mainly take the form of budget support for the OCTs.

Union financial assistance may also be provided, in accordance with the Financial Regulation, through contributions to international, regional or national funds, such as those established or managed by the EIB, by Member States, by partner countries and regions or by international organisations, with a view to attracting joint financing from a number of donors, or to funds set up by one or more donors for the purpose of the joint implementation of projects.

Union financial assistance shall be implemented by the Commission as provided for by the Financial Regulation, directly by Commission departments, Union delegations and executive agencies, by shared management with Member States or indirectly by entrusting budget implementation tasks to the entities listed in the Financial Regulation. Those entities shall ensure consistency with the Union's external policy and may entrust budget implementation tasks to other entities under conditions equivalent to those applying to the Commission.

Actions financed may be implemented with parallel or joint co-financing. In the case of parallel co-financing, an action is split into a number of clearly identifiable components which are each financed by the different partners providing co-financing in such a way that the end-use of the financing can always be identified. In the case of joint co-financing, the total

cost of an action is shared between the partners providing the co-financing and the resources are pooled in such a way that it is no longer possible to identify the source of financing for any given activity undertaken as part of the action. In such cases, the ex post publication of grant agreements and procurement contracts, as referred to in Article 38 of the Financial Regulation, shall comply with the rules of the entrusted entity, where appropriate.

The Union's funding shall not generate or activate the collection of specific taxes, duties or charges.

Or. fr

Amendment 57

Proposal for a decision Article 75 a (new)

Text proposed by the Commission

Amendment

Article 75a

Carry-overs, annual instalments, commitment appropriations, re-payments and revenue generated by financial instruments

1. In addition to Article 12(2) of the Financial Regulation, unused commitment and payment appropriations under this Decision shall be automatically carried over and may be committed up to 31 December of the following financial year. The carried-over amount shall be used first in the following financial year. The Commission shall inform the European Parliament and the Council of carried over commitment appropriations in line with Article 12(6) of the Financial Regulation.

2. In addition to the rules laid down in Article 15 of the Financial Regulation on making appropriations available again,

commitment appropriations corresponding to the amount of decommitments made as a result of total or partial non-implementation of an action under this Decision shall be made available again to the benefit of the budget line of origin. References to Article 15 of the Financial Regulation in Article 12(1)(b) of the Regulation laying down the multiannual financial framework shall be understood as including a reference to this paragraph for the purpose of this Decision.

3. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments, in line with Article 112(2) of the Financial Regulation.

The third subparagraph of Article 114(2) of the Financial Regulation shall not apply to these multiannual actions. The Commission shall automatically decommit any portion of a budgetary commitment for an action that by 31 December of the fifth year following that of the budgetary commitment has not been used for the purpose of pre-financing or making interim payments or for which no certified statement of expenditure or any payment request has been submitted.

Paragraph 2 of this Article shall also apply to annual instalments.

Or. fr

Amendment 58

Proposal for a decision Article 76 – paragraph 1 – point b

Text proposed by the Commission

(b) institutional development, capacity building and integration of environmental

Amendment

(b) institutional development, capacity building and integration of environmental,

aspects;

gender and good governance aspects;

Or. fr

Amendment 59

Proposal for a decision Article 77 – paragraph 2

Text proposed by the Commission

2. The Union shall support the efforts of the OCTs in developing reliable statistical data regarding those areas.

Amendment

2. The Union shall support the efforts of the OCTs in developing reliable, ***publicly accessible*** statistical data regarding those areas.

Or. fr

Amendment 60

Proposal for a decision Article 77 – paragraph 3

Text proposed by the Commission

3. The Union may support OCTs in their efforts to improve comparability of their macroeconomic indicators.

Amendment

3. The Union may support OCTs in their efforts to improve comparability of their macroeconomic indicators, ***in particular by facilitating analysis of the OCTs' GDP with purchasing power parity where available.***

Or. fr

Amendment 61

Proposal for a decision Article 78 – paragraph 1

Text proposed by the Commission

1. On the initiative of the Commission, Union financing may cover

Amendment

1. On the initiative of the Commission, Union financing may cover

support expenditure for the implementation of the Decision and for the achievement of its objectives, including administrative support associated with the preparation, follow-up, monitoring, control, audit and evaluation activities necessary for such implementation, *as well as expenditure at headquarters and Union delegations for the administrative support needed for the programme, and to manage operations financed under this Decision, including information and communication actions, and corporate information and technology systems.*

support expenditure for the implementation of the Decision and for the achievement of its objectives, including administrative support associated with the preparation, follow-up, monitoring, control, audit and evaluation activities necessary for such implementation.

Or. fr

Amendment 62

Proposal for a decision Article 79

Text proposed by the Commission

Amendment

Article 79

deleted

General principle

Unless otherwise specified in this Decision, Union financial assistance shall be implemented in accordance with the objectives and principles of this Decision, the Financial Regulation, and [NDICI Regulation] in particular, Title II, Chapter I with the exception of Articles 13, 14(1), 14(4), and 15, Chapter III with the exception of Articles 21(1), 21(2) (a) and (b) and 21(3), and Chapter V with the exception of Articles 31(1), 31(4), 31(6), 31(9) and 32(3). The procedure laid down in Article 80 of this Decision shall not apply to the cases referred to in Article 21 (2) (c) of [NDICI Regulation].

Or. fr

Amendment 63

Proposal for a decision

Article 79 a (new)

Text proposed by the Commission

Amendment

Article 79a

Adoption of programming documents

1. In the context of the partnership between the EU and the OCTs, the OCTs' authorities shall be responsible for the formulation and adoption of sectoral policies in the main areas of cooperation referred to in Part II of this Decision and shall ensure appropriate follow-up.

On that basis, each OCT shall prepare and present a programming document for the sustainable development of its territory. The programming document shall provide a coherent framework for cooperation between the Union and the OCT concerned that is consistent with the overall purpose and scope, objectives, principles and policies of the Union.

Each programming document shall set out:

- a brief presentation of the OCT's political, economic, social, cultural and environmental context;***
- a brief description of the OCT's sustainable development strategy (Agenda 2030), identifying the priorities for the OCT and how it intends to contribute to achieving the Sustainable Development Goals;***
- the priority areas for Union financing;***
- the specific objectives;***
- the expected results;***
- clear and specific performance indicators;***
- the indicative financial allocations, both overall and per priority area;***

- an indicative timetable.

2. The programming document shall build on experience and best practices and shall be based on consultations and dialogue with civil society, local authorities and other actors in order to ensure that they are sufficiently involved and that the indicative programming document is subsequently taken over.

3. A draft programming document shall be subject to an exchange of views between the authorities of each OCT, the Member State to which they are linked and the Commission. The OCTs' authorities shall be responsible for finalising the programming document. The Commission shall lay down guidelines specifying the programming arrangements for the OCTs in such a way that enables the programming documents to be rapidly approved.

4. Once finalised, the programming document shall be assessed by the Commission to determine whether it is consistent with the aims of this Decision and with the relevant Union policies, and whether it contains all the elements required to adopt the annual financing decision. The OCTs' authorities shall provide all the necessary information, including the results of any feasibility studies, for that assessment.

5. The programming document shall be approved in accordance with the examination procedure referred to in Article 88(5) of this Decision.

That procedure shall also apply to substantial reviews which have the effect of modifying significantly the strategy or its programming.

The examination procedure shall not apply to non-substantial modifications to the indicative programming document, such as technical adjustments, reassigning funds within the indicative allocations per priority area, or increasing

or decreasing the size of the initial indicative allocation by less than 20%, provided that those modifications do not affect the priority areas and objectives set out in the indicative programming document. The Commission shall communicate such non-substantial modifications to the European Parliament and to the Council within one month of the date of adoption of the relevant decision.

Or. fr

Amendment 64

Proposal for a decision Article 79 b (new)

Text proposed by the Commission

Amendment

Article 79b

Action plans and measures

- 1. The Commission shall adopt annual or multiannual action plans or measures. Measures may take the form of individual measures, special measures, support measures or exceptional assistance measures. Action plans and measures shall specify for each action the objectives pursued, the expected results and main activities, the methods of implementation, the budget and any associated support expenditures.*
- 2. Action plans shall be based on programming documents.*
- 3. Action plans and measures shall be adopted in accordance with the examination procedure referred to in Article 88(5) of this Decision. The procedure referred to in paragraph 1 shall not be required for:

(a) action plans, individual measures and support measures for which the Union's*

funding does not exceed EUR 10 million;

(b) technical amendments, provided such amendments do not substantially affect the objectives of the action plan or measure concerned, such as:

(i) a change of implementation method;

(ii) reassignments of funds between actions contained in an action plan;

(iii) increases or reductions in the budget of action plans and measures of not more than 20% of the initial budget and not exceeding EUR 10 million.

In the case of multiannual action plans and measures, the thresholds referred to in paragraph (3)(a) and (b)(iii) shall be applicable on a yearly basis. When adopted in accordance with this paragraph, action plans and measures, except exceptional assistance measures, and technical amendments shall be communicated to the European Parliament and to the Member States within one month of their adoption.

4. Before adopting or extending exceptional assistance measures not exceeding EUR 20 million, the Commission shall inform the Council of their nature and objectives and of the financial amounts envisaged. The Commission shall inform the Council before making significant substantive changes to exceptional assistance measures already adopted. The Commission shall take account of the relevant policy approach of the Council for the planning and subsequent implementation of such measures, in the interests of consistency of the Union's external action. The Commission shall keep the European Parliament duly informed, in a timely manner, about the planning and implementation of exceptional assistance measures pursuant to this Article, including the financial amounts envisaged, and shall also inform the European Parliament when making

substantial changes or extensions to that assistance.

5. On duly justified imperative grounds of urgency, such as crises resulting from natural or man-made disasters or immediate threats to democracy, the rule of law, human rights or fundamental freedoms, the Commission may adopt action plans and measures or amendments to existing action plans and measures in accordance with the procedure referred to in Article 88(5).

Or. fr

Amendment 65

Proposal for a decision Article 80

Text proposed by the Commission

Amendment

Article 80

deleted

Adoption of multiannual indicative programmes, action plans and measures

The Commission shall adopt, under this Decision, in the form of ‘single programming documents’, multiannual indicative programmes as referred to in Article 12 of [NDICI Regulation] together with the corresponding action plans and measures referred to in Article 19 of [NDICI Regulation] in accordance with the examination procedure referred to in Article 88(5) of this Decision. That procedure shall also apply to reviews referred to in Article 14 (3) of [NDICI Regulation] which have the effect of significantly modifying the content of the multiannual indicative programme.

In the case of Greenland, action plans and measures as referred to in article 19 of [NDICI Regulation] may be adopted separately from the multiannual indicative programmes.

Amendment 66

Proposal for a decision Article 81 – paragraph 1

Text proposed by the Commission

1. The **OCTs** public authorities shall be eligible for financial support provided for in this Decision.

Amendment

1. The public authorities **of all the OCTs** shall be eligible for financial support provided for in this Decision.

Or. fr

Amendment 67

Proposal for a decision Article 81 – paragraph 2 – point e

Text proposed by the Commission

(e) actors of decentralised cooperation and other non-governmental actors from OCTs and from the Union, to enable them to undertake economic, cultural, social and educational projects and programmes in the OCTs in the framework of decentralised cooperation, as referred to in Article 12 of this Decision.

Amendment

(e) actors of decentralised cooperation and other non-governmental actors from OCTs and from the Union, to enable them to undertake economic, **environmental**, cultural, social and educational projects and programmes in the OCTs in the framework of decentralised cooperation, as referred to in Article 12 of this Decision.

Or. fr

Amendment 68

Proposal for a decision Article 82 – paragraph 1 – point c – introductory part

Text proposed by the Commission

(c) **two** or more OCTs regardless of their location and at least one of the following:

Amendment

(c) **one** or more OCTs regardless of their location and at least one of the following:

Amendment 69

Proposal for a decision

Article 82 – paragraph 1 – point c – point iii

Text proposed by the Commission

iii) one or more regional bodies of which OCTs are members;

Amendment

iii) one or more regional bodies ***or associations*** of which OCTs are members;

Or. fr

Amendment 70

Proposal for a decision

Article 83 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall ensure effective and efficient access for the OCTs to all Union programmes and cooperation instruments with other countries, providing for specific measures if necessary.

In addition, the Commission shall ensure the transparency of information and the visibility of calls for proposals launched under the various Union programmes through an up-to-date access portal dedicated to the OCTs.

Or. fr

Amendment 71

Proposal for a decision

Article 83 – paragraph 3

Text proposed by the Commission

3. ***The OCTs shall report to the Commission on this participation in the Union programmes, every year starting in 2022.***

Amendment

3. ***On the basis of the information provided by the OCTs, the Commission shall draw up an annual report on their participation in Union programmes.***

Or. fr

Amendment 72

Proposal for a decision Article 86 – paragraph 2

Text proposed by the Commission

To ensure effective assessment of progress of this Decision towards the achievement of its objectives, the Commission shall be empowered to adopt delegated acts in accordance with Article 87 in order to ***amend*** Article 3 of Annex I to review or complement the indicators where considered necessary and to supplement this Decision with provisions on the establishment of a monitoring and evaluation framework.

Amendment

To ensure effective assessment of progress of this Decision towards the achievement of its objectives, the Commission shall be empowered to adopt delegated acts in accordance with Article 87 in order to ***determine the performance indicators provided for in*** Article 3 of Annex I ***or*** to review or complement them where considered necessary and to supplement this Decision with provisions on the establishment of a monitoring and evaluation framework.

Or. fr

Amendment 73

Proposal for a decision Article 87 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 86 shall be conferred on the Commission for a period of five years from 1 January 2021. The Commission shall draw up a report in respect of the delegation of power not later

Amendment

2. The power to adopt delegated acts referred to in Article 86 shall be conferred on the Commission for a period of five years from 1 January 2021. The Commission shall draw up a report in respect of the delegation of power not later

than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the Council opposes such extension not later than three months before the end of each period.

than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the Council opposes such extension not later than three months before the end of each period. ***The Council shall inform the European Parliament of its decision.***

Or. fr

Amendment 74

Proposal for a decision Article 87 – paragraph 4

Text proposed by the Commission

4. As soon as it adopts a delegated act, the Commission shall notify it to the Council.

Amendment

4. As soon as it adopts a delegated act, the Commission shall notify it to the Council ***and to the European Parliament.***

Or. fr

Amendment 75

Proposal for a decision Article 87 – paragraph 5

Text proposed by the Commission

5. A delegated act adopted pursuant to Article 86 shall enter into force only if no objection has been expressed by the Council within a period of two months of notification of the act to the Council or if, before the expiry of that period, the Council has informed the Commission that it will not object. That period shall be extended by two months at the initiative of the Council.

Amendment

5. A delegated act adopted pursuant to Article 86 shall enter into force only if no objection has been expressed by the Council within a period of two months of notification of the act to the Council or if, before the expiry of that period, the Council has informed the Commission that it will not object. That period shall be extended by two months at the initiative of the Council. ***If the Council intends to object, it shall inform the European Parliament within a reasonable time before it takes the final decision, specifying the delegated act to which it***

intends to object and the reasons for its objection.

Or. fr

Amendment 76

Proposal for a decision Article 90 – paragraph 1

Text proposed by the Commission

This Decision shall apply in accordance with Council Decision 2010/427/EU⁴⁶.

Amendment

The High Representative of the Union for Foreign Affairs and Security Policy shall ensure overall political coordination of the Union's external action by ensuring the unity, consistency and effectiveness thereof.

46 Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service, OJ L 201, 3.8.2010, p. 30.

Or. fr

Amendment 77

Proposal for a decision Article 92 – paragraph 2

Text proposed by the Commission

It shall apply from 1 January 2021.

Amendment

It shall apply from 1 January 2021 *and shall expire on 31 December 2027.*

Or. fr

Amendment 78

Proposal for a decision Annex I – Article 1 – point 1 – introductory part

Text proposed by the Commission

1. For the purposes of this Decision, for the seven-year period from 1 January 2021 to 31 December 2027, the overall amount of the Union financial assistance of EUR **500 000 000** in current prices shall be allocated as follows:

Amendment

1. For the purposes of this Decision, for the seven-year period from 1 January 2021 to 31 December 2027, the overall amount of the Union financial assistance of EUR **669 000 000** in current prices shall be allocated as follows:

Or. fr

Amendment 79

Proposal for a decision

Annex I – Article 1 – point 1 – point a

Text proposed by the Commission

(a) **EUR 159 000 000** in the form of grants for bilateral programmable support for long-term development of ***OCTs other than Greenland***, in particular to finance the initiatives referred to in the programming document. This amount shall be allocated on the basis of the needs and performance of the OCTs in accordance with the following criteria: ***where appropriate, the programming document shall pay particular attention to actions aimed at strengthening governance and the institutional capacities of the beneficiary OCTs and, where relevant, the likely timetable of the envisaged actions. The allocation of this amount shall take into account*** the size of the population, the level of Gross Domestic Product (GDP), the level of previous allocations and constraints due to the geographical isolation of OCTs as mentioned in Article 9 of this Decision.

Amendment

(a) **81%** in the form of grants for bilateral programmable support for long-term development of ***all the OCTs***, in particular to finance the initiatives referred to in the programming document.

This amount shall be allocated on the basis of the needs and performance of the OCTs in accordance with the following criteria: the size of the population, the level of Gross Domestic Product (GDP) ***based on GDP PPP if available***, the level of

previous allocations, constraints due to the geographical isolation of the OCTs as referred to in Article 9 of this Decision, ***the low level of development of the OCTs referred to in Article 9a of this Decision, the size of the territories and the climate and environmental challenges.***

4% for Aruba

1.5% for Bonaire

5% for Curaçao

48% for Greenland

10.75% for New Caledonia

10.85% for French Polynesia

1.2% for Saba

2% for Saint Barthelemy

0.8% for Sint Eustatius

7.5% for Saint Pierre and Miquelon

2.5% for Sint Maarten

0.4% for the French Southern and Antarctic Territories

5.5% for Wallis and Futuna

Or. fr

Amendment 80

Proposal for a decision

Annex I – Article 1 – point 1 – point b

Text proposed by the Commission

(b) EUR 225 000 000 in the form of grant for the bilateral programmable support for long term development of Greenland in particular to finance the initiative referred to in the programming document.

Amendment

deleted

Or. fr

Amendment 81

Proposal for a decision

Annex I – Article 1 – point 1 – point c

Text proposed by the Commission

(c) **EUR 81 000 000** shall be allocated to support OCT regional programmes of which **EUR 15 000 000** could support intra-regional operations, Greenland being eligible only for the intra-regional operations. This cooperation will be implemented in coordination with Article 7 of this Decision, in particular regarding the areas of mutual interests referred to in Article 5 of this Decision and through consultation via the instances of the EU-OCTs partnership referred to in Article 14 of this Decision. It shall seek coordination with other relevant Union financial programmes and instruments and in particular the outermost regions referred to in Article 349 TFEU.

Amendment

(c) **12%** shall be allocated to support OCT regional programmes of which **EUR 30 000 000** could support intra-regional operations, Greenland being eligible only for the intra-regional operations. This cooperation will be implemented in coordination with Article 7 of this Decision, in particular regarding the areas of mutual interests referred to in Article 5 of this Decision and through consultation via the instances of the EU-OCTs partnership referred to in Article 14 of this Decision. It shall seek coordination with other relevant Union financial programmes and instruments and in particular the outermost regions referred to in Article 349 TFEU.

Or. fr

Amendment 82

Proposal for a decision

Annex I – Article 1 – point 1 – point d

Text proposed by the Commission

(d) **EUR 22 000 000** for studies or technical assistance measures for all the OCTs including Greenland, in accordance with Article 78 of this Decision⁴⁹.

Amendment

(d) **3.5%** for studies or technical assistance measures for all the OCTs including Greenland, in accordance with Article 78 of this Decision.

49 Out of this amount, 9 725 000 EUR are reserved for the Commission to cover technical and/or administrative assistance and expenditure in support of the implementation of the EU programmes and/or actions, indirect research, direct research.

Amendment 83

Proposal for a decision

Annex I – Article 1 – point 1 – point e – introductory part

Text proposed by the Commission

(e) **EUR 13 000 000** to a non-allocated fund for all the OCTs including Greenland to inter alia:

Amendment

(e) **3.5%** to a non-allocated fund for all the OCTs including Greenland to inter alia:

Or. fr

Amendment 84

Proposal for a decision

Annex I – Article 1 – point 2

Text proposed by the Commission

2. The Commission, following a review, may decide on the allocation of any non-allocated funds mentioned in this Article.

Amendment

2. The Commission, following a review ***carried out before 2025***, may decide, ***after consulting the Member States and the European Parliament***, on the allocation of any non-allocated funds mentioned in this Article.

Or. fr

Amendment 85

Proposal for a decision

Annex I – Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

The achievement of the objectives set out in Article 3.5 of *the* Decision ***shall be measured by:***

Amendment

In line with the Sustainable Development Goals, a list of key performance indicators shall be developed in accordance with the procedure provided for in Article 86 and used to help assess the extent to which the Union has contributed to the achievement

of the objectives set out in Article 3(5) of *this* Decision.

Or. fr

Amendment 86

Proposal for a decision

Annex I – Article 3 – paragraph 1 – point 1

Text proposed by the Commission

Amendment

1. For OCTs, except Greenland, exports of goods and services as % of GDP and total Government revenue as % of GDP. *deleted*

Or. fr

Amendment 87

Proposal for a decision

Annex I – Article 3 – paragraph 1 – point 2

Text proposed by the Commission

Amendment

2. For Greenland, exports of goods and services as % of GDP and percentage of the fisheries sector in total exports. *deleted*

Or. fr

EXPLANATORY STATEMENT

Overseas Countries and Territories (OCTs) have been associated with the European Union (EU) since the entry into force of the Treaty of Rome.

There are currently 25 OCTs, located in the Atlantic, Antarctic, Caribbean, Indian Ocean and Pacific regions. They are linked to four EU Member States: Denmark, France, the United Kingdom and the Netherlands.

In general, OCTs have wide-ranging autonomy, covering areas such as economic affairs, the employment market, public health, home affairs and customs. Defence and foreign affairs usually remain within the remit of the Member States. The OCTs are not part of the Union's customs territory and are outside the internal market. Union legislation therefore does not apply. However, as nationals of a European Union Member State to which their countries and territories are constitutionally linked, the OCTs' inhabitants hold European citizenship.

The current framework which applies to the 25 OCTs is the Overseas Association Decision (OAD) 2013/755/EU of 25 November 2013, which outlines the special relationship that OCTs have with the EU as part of the 'EU family' and the specific legal framework applicable.

The main funding source for the current OAD is the 11th European Development Fund (EDF), covering the programming and funding of territorial and regional programmes for OCTs other than Greenland, for which there is a specific decision funded from the EU budget.

In view of the United Kingdom's withdrawal from the European Union on 29 March 2019, and the 2021-2027 multiannual financial framework, the Commission proposed a new OAD for a Union of 27 Member States on 14 June 2018. It therefore covers 13 OCTs linked to three Member States: Denmark, France and the Netherlands.

This new OAD merges the current OAD and the Greenland Decision, both of which are based on Article 203 TFEU. Furthermore, the proposal for a new OAD 'budgetises' the funding allocated to the OCTs by allocating a budget of EUR 500 million drawn from the new 'Neighbourhood and the World' budget heading.

Your rapporteur warmly welcomes the proposal for a new OAD as it responds to Parliament's requests for a unified regime for all OCTs as well as a financial instrument specific to the OCTs which is part of the European Union budget.

Your rapporteur would like to thank the Commission for the high-quality work it has carried out to simplify and make coherent the legal framework applicable to the OCTs, to strengthen the management unit and to ensure greater visibility for the OCTs as a group.

However, following the exchanges he has had with civil society and OCT representatives, your rapporteur would nevertheless like the new OAD to take into account the following elements:

1. Strengthening the political dialogue between the OCTs and the EU

It is important for the political dimension of the association between the EU and the OCTs to be strengthened. In terms of governance, this includes participation by the Council Presidency

and the European Parliament in discussion forums, in particular the annual OCT/EU FORUM, and an increased role for Parliament in the partnership in general.

Your rapporteur also sees a need for increased dialogue between the EU and the OCTs on cooperation and regional integration issues. In addition to the close dialogue on Arctic issues provided for in Article 13 of the new OAD, your rapporteur calls on the EU to strengthen its presence in the Caribbean and Pacific by involving its OCTs in defining and implementing its regional strategies. This reflects the positions expressed by Parliament on the post-Cotonou period and the need for stronger dialogue with the three regions, including the Caribbean and the Pacific, which include the OCTs present.

2. An instrument tailored to the specific characteristics of the OCTs with adapted programming rules

Your rapporteur welcomes the Commission's proposal, which creates a dedicated instrument for the OCTs that will take better account of their specific characteristics.

However, the reference to the rules of the proposal for a regulation establishing the Neighbourhood, Development and International Cooperation Instrument (NDICI), while providing for numerous exceptions makes it difficult to read and does not meet the transparency and simplification objectives of the Interinstitutional Agreement on Better Law-Making.

Your rapporteur therefore calls for the programming rules to be included directly in the new OAD by taking over the rules proposed in the NDICI applicable to the OCTs and recalling the principle that the Financial Regulation applies, except where specifically provided in the OAD.

The limited administrative and human capacities of the OCTs should also be recalled and reflected in the legislative proposal.

3. Better distribution of funds between OCTs based on clear criteria for greater transparency and enhanced democratic control

Annex 1 to the OAD sets out the financial breakdown of the EUR 500 million allocation as follows: EUR 225 million for Greenland, EUR 159 million for the other 12 OCTs, EUR 81 million for regional cooperation, EUR 22 million for technical assistance and EUR 13 million as a non-allocated amount.

The rapporteur has some strong criticisms concerning the proposed distribution. The European Parliament, as the joint budgetary authority and guarantor of the proper use of public funds, has repeatedly expressed its position on the need to exercise control over funds from the European budget.

Your rapporteur reiterates the position expressed by Parliament on the overall amount to be allocated to the OCTs in the context of the next Multiannual Financial Framework, some EUR 669 million instead of the EUR 500 million proposed by the Commission.

The general breakdown proposed by your rapporteur is as follows:

- 81% for territorial cooperation,
- 12% for regional cooperation, of which EUR 30 000 000 for intra-regional cooperation,

- 3.5% for technical assistance,
- 3.5% as non-allocated funds.

Your rapporteur is critical of the distribution proposed in the OAD between the OCTs, considering that the proposal is not based on objective and transparent criteria.

Your rapporteur would like the envelopes allocated to each OCT to be specified, not just the envelope for Greenland. He would draw attention to the fact that the 13 OCTs are eligible for territorial financing.

Your rapporteur proposes that the indicative amount of the envelope allocated to each OCT be expressed as a percentage in order not to prejudge the final level of the budget allocated to the OCTs in the OAD.

The proposed allocation takes into account the following objective elements: the size of the population, the level of GDP based on PPP if available, isolation (as provided for in Article 9 of the OAD), the level of development (addition of a new Article 9a in the OAD), the size of the territories and the climate and environmental challenges.

4. Detailed specific objectives and appropriate indicators

Your rapporteur would like the specific objectives of the association to be better defined in Article 3 so that appropriate indicators can be established by the Commission in accordance with the procedure laid down in Article 86 - delegated act.

Your rapporteur identifies four specific objectives, which take into account the particular situation of Greenland:

- (1) to support the OCTs in addressing the major challenges they face, including education for Greenland;
- (2) to strengthen the resilience of the OCTs by reducing their economic and environmental vulnerability;
- (3) to enhance the competitiveness of the OCTs;
- (4) to promote cooperation between the OCTs and other partners.

5. Effective participation of OCTs in Union programmes

Articles 72 and 83 specify that the OCTs also have access to additional funding through participation in Union programmes.

In order to make this participation effective, your rapporteur considers that the Commission should, if necessary, provide for specific measures to ensure the OCTs' participation in Union programmes and facilitate access for such participation by establishing an up-to-date, dedicated gateway for the OCTs.

6. Taking account of sustainable development, gender and environmental goals

Given the OCTs' rich biodiversity and their strong exposure to the effects of climate change, the EU needs to provide support for the OCTs in protecting their biodiversity and adapting to climate change.

Accordingly, the contribution of the programme to achieving climate objectives should be increased to 30% of the overall financial envelope, and a reference should be included to the

Paris Agreements.

Similarly, the new OAD should provide more details on gender and non-discrimination issues and on compliance with the Sustainable Development Goals.