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**A7-0052/2013**

27.2.2013

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## **REPORT**

on the proposal for a Council decision on the association of the overseas countries and territories with the European Union ('Overseas Association Decision')  
(COM(2012)0362 – C7-0285/2012 – 2012/0195(CNS))

Committee on Development

Rapporteur: Patrice Tirolien

### ***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***

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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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 ('Overseas Association Decision')  
(COM(2012)0362 – C7-0285/2012 – 2012/0195(CNS))**

**(Special legislative procedure – consultation)**

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2012)0362),
  - having regard to Article 203 of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C7-0285/2012),
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on Development and the opinions of the Committee on Employment and Social Affairs and the Committee on Fisheries (A7-0052/2013),
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 substantially amend the Commission proposal;
  5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

## Amendment 1

### Proposal for a decision Recital 5 a (new)

*Text proposed by the Commission*

*Amendment*

***(5a) Given the importance assumed by the Overseas Countries and Territories of the European Union Association as an effective liaison body for the OCTs as a group in their dialogue with the Commission and Union Member States, that association should be recognised as an actor of cooperation whose purpose is to uphold the common interests of the OCTs belonging to it.***

## Amendment 2

### Proposal for a decision Recital 6

*Text proposed by the Commission*

*Amendment*

(6) The contribution of civil society to OCT development can be enhanced by strengthening civil society organisations in all spheres of cooperation.

(6) The contribution of civil society to OCT development can be enhanced by strengthening civil society organisations ***and giving them greater responsibility*** in all spheres of cooperation.

## Amendment 3

### Proposal for a decision Recital 10

*Text proposed by the Commission*

*Amendment*

(10) The OCTs are host to wide terrestrial and marine biodiversity. Climate change can impact on OCTs' natural environment

(10) The OCTs are host to wide terrestrial and marine biodiversity. Climate change can impact on OCTs' natural environment

and constitutes a threat undermining their sustainable development. Actions in the fields of conservation of biodiversity and ecosystem services, disaster risk reduction, sustainable management of natural resources and promotion of sustainable energy *will contribute to adaptation and mitigation* of climate change in the *OCTs*.

and constitutes a threat undermining their sustainable development. Actions in the fields of conservation of biodiversity and ecosystem services, disaster risk reduction, sustainable management of natural resources and promotion of sustainable energy *can help the OCTs to adapt to and mitigate the impact* of climate change. *OCTs should also be able to participate in Union horizontal programmes, such as the Programme for the Environment and Climate Action (LIFE).*

#### Amendment 4

##### Proposal for a decision Recital 12

###### *Text proposed by the Commission*

(12) It is important to support the OCTs in their efforts in becoming less dependent on fossil fuels, with a view to reducing their vulnerability to fuels access and price volatility, thus making their economy more resilient and less vulnerable to external shocks.

###### *Amendment*

(12) It is important to support the OCTs in their efforts in becoming less dependent on fossil fuels, with a view to reducing their vulnerability to fuels access and price volatility, thus making their economy more resilient and less vulnerable to external shocks, *particularly in terms of jobs.*

#### Amendment 5

##### Proposal for a decision Recital 14

###### *Text proposed by the Commission*

(14) The effects of the OCTs' remoteness constitute a *barrier* to their *competitiveness* and thus it is important to improve the accessibility of the OCTs.

###### *Amendment*

(14) The effects of the OCTs' remoteness constitute a *challenge* to their *economic development* and thus it is important to improve the accessibility of the OCTs.

## Amendment 6

### Proposal for a decision Recital 15

*Text proposed by the Commission*

(15) The Union and the OCTs recognise the importance of education as a lever for the OCTs' sustainable development.

*Amendment*

(15) The Union and the OCTs recognise the importance of education **and vocational training** as a lever for the OCTs' sustainable development.

## Amendment 7

### Proposal for a decision Recital 16 a (new)

*Text proposed by the Commission*

*Amendment*

***(16a) A crucial aim of cooperation should be improving working conditions, labour and trade union rights. An important role should be played in the process by trade unions and other workers' representatives.***

## Amendment 8

### Proposal for a decision Recital 17

*Text proposed by the Commission*

(17) The incidence of communicable diseases in the OCTs, such as dengue in the Caribbean and the Pacific and Chikungunya in the Indian Ocean region, can have significant negative health and economic impacts. Beyond decreasing the productivity of affected populations, epidemics in OCTs are likely to heavily impact tourism, which is a mainstay of many OCTs' economies. With large numbers of tourists and migrant workers travelling to OCTs, they are vulnerable to importation of infectious diseases.

*Amendment*

(17) The incidence of communicable diseases in the OCTs, such as dengue in the Caribbean and the Pacific and Chikungunya in the Indian Ocean region, can have significant negative health and economic impacts. Beyond decreasing the productivity of affected populations, epidemics in OCTs are likely to heavily impact tourism, which is a mainstay of many OCTs' economies. With large numbers of tourists and migrant workers travelling to OCTs, they are vulnerable to importation of infectious diseases. ***Easy***



Inversely, the large flow of people travelling back from OCTs could be a vector of introduction of communicable diseases in Europe. Ensuring a “safe tourism” is therefore a critical factor for the sustainability of the OCT economies that heavily rely on tourism.

***and regular access to occupational medicine could reduce the scale of epidemics.*** Inversely, the large flow of people travelling back from OCTs could be a vector of introduction of communicable diseases in Europe. Ensuring a “safe tourism” is therefore a critical factor for the sustainability of the OCT economies that heavily rely on tourism.

## Amendment 9

### Proposal for a decision

#### Recital 18

*Text proposed by the Commission*

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

*Amendment*

(18) The association between the Union and the OCTs ***should*** take ***due*** account ***of*** and contribute to the preservation of the cultural diversity and identity of OCTs. ***It should therefore take due account of, and contribute to protecting and upholding, the rights of the OCTs’ indigenous peoples.***

## Amendment 10

### Proposal for a decision

#### Recital 19

*Text proposed by the Commission*

(19) The Union recognises the importance to develop a more active partnership with the OCTs as regards to good governance and the fight against organised crime, trafficking in human beings, terrorism and corruption.

*Amendment*

(19) The Union recognises the importance to develop a more active partnership with the OCTs as regards to good ***economic, social and fiscal*** governance and the fight against organised crime, trafficking in human beings, terrorism and corruption.

## Amendment 11

### Proposal for a decision Recital 20

*Text proposed by the Commission*

(20) Trade and trade-related cooperation between the Union and the OCTs should contribute to the objective of sustainable development in economic development, social development and environmental protection dimensions.

*Amendment*

(20) Trade and trade-related cooperation between the Union and the OCTs should contribute ***as a matter of course*** to the objective of sustainable development in economic development, social development and environmental protection dimensions.

## Amendment 12

### Proposal for a decision Recital 21

*Text proposed by the Commission*

(21) Global changes, reflected in the continuing process of trade liberalisation, ***broadly implicate*** the Union, the principal trading partner of the OCTs, ***their ACP*** neighbours ***and other economic partners***.

*Amendment*

(21) Global changes, reflected in the continuing process of trade liberalisation, ***which brings too few benefits to small island territories, make it necessary for*** the Union, the principal trading partner of the OCTs, ***to take better account of OCT interests in the trade agreements it concludes with the OCTs'*** neighbours. ***This implies a shared responsibility for including, as a matter of course, minimum social clauses in any negotiated partnership or trade agreement.***

## Amendment 13

### Proposal for a decision Recital 21 a (new)

*Text proposed by the Commission*

*Amendment*

***(21a) As austerity policies have had detrimental effects on employment, there is a need for cooperation between OCTs and the Union to move away from those***

*policies and advance ambitious programmes of public investment, which are the only way of ensuring decent living and working conditions for the majority of the population in both OCTs and the Union.*

## Amendment 14

### Proposal for a decision Recital 22

#### *Text proposed by the Commission*

(22) The OCTs are fragile island environments requiring adequate protection, including in respect of waste management. In respect of radioactive waste, Article 198 of the Euratom Treaty and the related secondary legislation provide for this, except with regard to Greenland, to which the Euratom Treaty does not apply. For other waste, it should be specified which Union rules are to apply in respect of the OCTs.

#### *Amendment*

(22) The OCTs are fragile island environments requiring adequate protection, including in respect of waste management ***and the containment of radioactive contamination***. In respect of radioactive waste, Article 198 of the Euratom Treaty and the related secondary legislation provide for this, except with regard to Greenland, to which the Euratom Treaty does not apply. For other waste, it should be specified which Union rules are to apply in respect of the OCTs. ***Regarding radioactive contamination, particularly from nuclear testing it is necessary to specify which EU rules could apply to the OCTs, so as to provide lasting protection for biodiversity and populations from such forms of contamination.***

## Amendment 15

### Proposal for a decision Recital 26

#### *Text proposed by the Commission*

(26) Taking into account the aims of integration and the developments of global trade in the area of services and establishment, it is necessary to support the development of services markets and investment possibilities by improving the

#### *Amendment*

(26) Taking into account the aims of integration and the developments of global trade in the area of services and establishment, it is necessary to support the development of services markets and investment possibilities by improving the

market access of OCT services and investment to the Union market. In this regard the Union should offer to OCTs the best possible treatment offered to any other trading partner through comprehensive most favoured nation clauses, while ensuring more flexible possibilities for trade relations for OCTs by limiting the treatment offered by OCTs to the Union to what has been offered to other major trading economies.

market access of OCT services and investment to the Union market **and facilitating their access to public procurement contracts.** In this regard the Union should offer to OCTs the best possible treatment offered to any other trading partner through comprehensive most favoured nation clauses, while ensuring more flexible possibilities for trade relations for OCTs by limiting the treatment offered by OCTs to the Union to what has been offered to other major trading economies.

## Amendment 16

### Proposal for a decision Recital 28

#### *Text proposed by the Commission*

(28) Sanitary and phyto-sanitary measures and technical barriers to trade may have an impact on trade and require cooperation. Trade and trade-related cooperation also should address competition policies and intellectual property rights, which affect the equitable distribution of the gains of trade.

#### *Amendment*

(28) Sanitary and phyto-sanitary measures and technical barriers to trade may have an impact on trade **and on the employment situation** and require cooperation. Trade and trade-related cooperation also should address **employment policies, particularly those concerning young people,** competition policies and intellectual property rights, which affect the equitable distribution of the gains of trade.

## Amendment 17

### Proposal for a decision Recital 29

#### *Text proposed by the Commission*

(29) To ensure that OCTs may participate under the best conditions in the Union's internal market as well as regional, sub-regional and international markets, it is important to develop the capacity of OCTs in relevant areas. These include the development of human resources and their

#### *Amendment*

(29) To ensure that OCTs may participate under the best conditions in the Union's internal market as well as regional, sub-regional and international markets, it is important to develop the capacity of OCTs in relevant areas. These include the development of human resources and their

skills, the development of small and medium enterprises, the diversification of economic sectors and the implementation of an appropriate legal framework in order to achieve a business climate conducive to investment.

skills ***by: offering appropriate vocational and continuing training; facilitating*** the development of small and medium enterprises; ***facilitating access to micro-funding instruments and loans;*** the diversification of economic sectors; and the implementation of an appropriate legal framework in order to achieve a business climate conducive to investment. ***To that end, combining EDF funds with programmes and instruments under the Union's general budget for which OCTs are eligible would make it possible to leverage and rationalise proposed investments.***

## **Amendment 18**

### **Proposal for a decision Recital 30 a (new)**

*Text proposed by the Commission*

*Amendment*

***(30a) OCTs can play a crucial role in the fight against tax havens. In this regard, the need to move towards genuine transparency of the financial sector should be underlined.***

## **Amendment 19**

### **Proposal for a decision Recital 33**

*Text proposed by the Commission*

*Amendment*

(33) The procedures regarding financial assistance provided for in Articles 9 and 82 delegate the main responsibility for 11th EDF programming and implementing cooperation to the OCTs in particular. Cooperation will be conducted predominantly in conformity with OCT territorial regulations and will underpin support for the monitoring, evaluation and audit of the operations programmed. In

(33) The procedures regarding financial assistance provided for in Articles 9 and 82 delegate the main responsibility for 11th EDF programming and implementing cooperation to the OCTs in particular. Cooperation will be conducted predominantly in conformity with OCT territorial regulations and will underpin support for the monitoring, evaluation and audit of the operations programmed. In

addition, it is necessary to clarify that OCTs are eligible to different sources of funding provided for in Article 76.

addition, it is necessary to clarify that OCTs are eligible to different sources of funding provided for in Article 76 ***and that the Commission has a duty to facilitate OCT access to horizontal programmes by means of an ‘OCT strategy’ such as that provided for under Article 88(2a).***

## Amendment 20

### Proposal for a decision Recital 34

#### *Text proposed by the Commission*

(34) In order to adopt detailed rules for the preparation of the programming documents, their follow-up, audit, evaluation, review and implementation, as well as for reporting and financial corrections, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Part IV of this Decision. In order to take into account technological developments and changes in customs legislation, the power to adopt acts amending the Appendices to Annex VI, in accordance with Article 290 of the Treaty on the Functioning of the European Union, should also be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the Council.

#### *Amendment*

(34) In order to adopt detailed rules for the preparation of the programming documents, their follow-up, audit, evaluation, review and implementation, as well as for reporting and financial corrections, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Part IV of this Decision. ***In order to adopt decisions concerning the granting of cumulation of origin between an OCT and a country with which the Union has concluded and is applying a free trade agreement, derogations from the registered exporters system and temporary derogations from the provisions of Annex VI, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Annex VI to this Decision.*** In order to take into account technological developments and changes in customs legislation, the power to adopt acts amending the Appendices to Annex VI in accordance with Article 290 of the Treaty on the Functioning of the European Union should also be delegated to the Commission. ***In order to adopt decisions concerning temporary withdrawal of preferential treatment, prior surveillance***

*measures as provided for in Annex VII, and temporary and permanent safeguard measures as provided for in Annex VIII, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should also be delegated to the Commission in respect of Annexes VII and VIII to the Decision, respectively.* It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the **European Parliament and to the Council**.

#### *Justification*

*Although this is a Council decision (and Parliament is therefore not a co-legislator), Parliament still has the right to be notified of the adoption of delegated acts.*

#### **Amendment 21**

##### **Proposal for a decision Article 2 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. In order to ensure that those objectives are met, the identity and geographical position of each OCT shall be taken into account, together with its political, economic and social situation.***

#### **Amendment 22**

##### **Proposal for a decision Article 5 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

(b) the promotion of green growth;

(b) the promotion of green growth ***and green jobs in all green-growth industries;***

## Amendment 23

### Proposal for a decision Article 6 – paragraph 1

#### *Text proposed by the Commission*

1. With an aim to strengthen the relations between themselves, the Union and the OCTs endeavour to make the association known among their citizens, in particular by promoting the development of the links and cooperation between the authorities, academic community, civil society and businesses of OCTs on the one hand and their interlocutors within the Union on the other.

#### *Amendment*

1. With an aim to strengthen the relations between themselves, the Union and the OCTs endeavour to make the association ***and the shared benefits accruing from it*** known among their citizens, in particular by promoting the development of the links and cooperation between the authorities, academic community, civil society, ***the social partners*** and businesses of OCTs on the one hand and their interlocutors within the Union on the other. ***To this end, the Union shall ensure effective OCT participation in information and communication programmes, with particular reference to the 'Europe Direct' information centres, in order to bring Europe closer to its citizens in the OCTs.***

#### *Justification*

*OCT participation in EU communication programmes needs to be stepped up. Given that OCTs (which are located so far away from the Union) are part of the EU family, they should have access to better information about Europe.*

## Amendment 24

### Proposal for a decision Article 6 – paragraph 2 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***2a. The Commission shall ensure that partnerships with OCTs are promoted under all the Union programmes and instruments entered in the general budget of the Union referred to in Article 88.***



## Amendment 25

### Proposal for a decision Article 7 – paragraph 3

#### *Text proposed by the Commission*

3. The association aims at supporting cooperation between the OCTs and other partners in the areas of cooperation set out in Parts Two and Three 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 of the Treaty, their neighbouring African, Caribbean and Pacific (ACP) and non-ACP States. In order to achieve that objective, the Union shall improve coordination and synergies between cooperation programmes supported by different EU financial instruments.

#### *Amendment*

3. The association aims at supporting cooperation between the OCTs and other partners in the areas of cooperation set out in Parts Two and Three 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 of the Treaty, their neighbouring African, Caribbean and Pacific (ACP) and non-ACP States. In order to achieve that objective, the Union shall improve coordination and synergies between cooperation programmes supported by different EU financial instruments, ***including the territorial cooperation programmes implemented under the Union's cohesion policy. The Union shall also involve the OCTs in its political dialogue with OCT neighbours, and shall inform them of the agendas and resolutions or recommendations of the ACP-EU Joint Parliamentary Assembly. Member States and the Commission shall support any request by OCT authorities to participate as observers at the plenary sessions of the ACP-EU Joint Parliamentary Assembly, subject to the Assembly's own rules of procedure.***

## Amendment 26

### Proposal for a decision Article 7 – paragraph 4 – point d

#### *Text proposed by the Commission*

(d) OCT participation in the development of regional markets within the context of

#### *Amendment*

(d) OCT participation in the development of ***regional organisations and*** regional

regional integration organisations;

markets within the context of regional integration organisations;

## **Amendment 27**

### **Proposal for a decision**

#### **Article 9 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2. The OCTs shall organise, where appropriate, a dialogue and consultations with authorities and bodies such as:

2. The OCTs shall organise, where appropriate, a dialogue and consultations with authorities, ***members of parliament*** and bodies such as:

*Justification*

*Members of parliament representing the OCTs must be involved in the process in order to ensure that it is as democratic as possible.*

## **Amendment 28**

### **Proposal for a decision**

#### **Article 9 – paragraph 2 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) members of parliament representing OCTs at national and Union level;***

*Justification*

*Members of parliament representing the OCTs must be involved in the process in order to ensure that it is as democratic as possible.*

## **Amendment 29**

### **Proposal for a decision**

#### **Article 9 – paragraph 2 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) OCT organisations, for example the Overseas Countries and Territories Association (OCTA);***

*Justification*

*Organisations such as the OCTA should take part in the dialogue concerning the EU-OCT association.*

**Amendment 30**

**Proposal for a decision**

**Article 10 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) members of parliament representing OCTs at national and Union level;***

*Justification*

*Members of parliament representing the OCTs must be involved in the process in order to ensure that it is as democratic as possible.*

**Amendment 31**

**Proposal for a decision**

**Article 12 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) The dialogue shall enable OCTs to obtain information on the various regional horizontal programmes and EDF regional projects that are under way, so that they have an opportunity to take part in them.***

**Amendment 32**

**Proposal for a decision**

**Article 13 – paragraph 1 - point (a)**

*Text proposed by the Commission*

*Amendment*

(a) an OCT-EU forum for dialogue (the OCT-EU Forum), shall meet annually to bring together OCT authorities, representatives of the Member States and the Commission. Members of the European

(a) an OCT-EU forum for dialogue (the OCT-EU Forum), shall meet annually to bring together OCT authorities, ***members of parliament representing OCTs,*** representatives of the Member States and

Parliament, **representatives** of the EIB, and representatives of the outermost regions shall be associated with the OCT-EU Forum, where appropriate;

the Commission. Members of the European Parliament **shall be associated with it. Representatives** of the EIB, and representatives of the outermost regions, **neighbouring ACP and non-ACP States** shall be associated with the OCT-EU Forum, where appropriate;

*Justification*

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

**Amendment 33**

**Proposal for a decision**

**Article 13 – 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 **as a rule** 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*

(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 **and whenever necessary** on the initiative of the Commission or at the request of **one or more** OCTs and of the Member States to which they are linked;

*Justification*

*The arrangements for trilateral consultations need to be more flexible.*

**Amendment 34**

**Proposal for a decision**

**Article 15 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) aid to SMEs engaged in sustainable economic activities, particularly in the research, farming, crafts and tourism sectors, which draw on the resources of**

*local ecosystems;*

## Amendment 35

### Proposal for a decision

#### Article 17 – point (b)

*Text proposed by the Commission*

(b) conciliation of economic and social activities such as fisheries and aquaculture, tourism, maritime transports with the potential of marine and coastal zones in terms of renewable energy, raw materials, whilst taking into account impacts of climate change and human activities.

*Amendment*

(b) conciliation of economic and social activities such as fisheries and aquaculture, **agriculture**, tourism, maritime **and air** transports, **industry, mining activities and regional planning** with the potential of marine and coastal zones in terms of renewable energy, raw materials, whilst taking into account impacts of climate change and **land pollution from** human **and animal** activities.

## Amendment 36

### Proposal for a decision

#### Article 19 – paragraph 1 – point c

*Text proposed by the Commission*

(c) without prejudice to existing or future **bilateral** fisheries partnership agreements **between** the Union **and the OCTs**, the Union and the OCTs shall aim to regularly consult each other on the conservation and management of the living marine resources and to exchange information on the ongoing state of resources within the context of the relevant instances of the association provided for in Article 13.

*Amendment*

(c) without prejudice to existing or future fisheries partnership agreements **concluded by** the Union, the Union and the OCTs shall aim to regularly consult each other on the conservation and management of the living marine resources and to exchange information on the ongoing state of resources within the context of the relevant instances of the association provided for in Article 13.

## Amendment 37

### Draft decision

#### Article 19 – paragraph 2 – point b

##### *Text proposed by the Commission*

(b) dialogue and cooperation regarding the conservation of fish stocks including measures to fight illegal, unreported and unregulated fishing and effectively cooperating with and within regional fisheries management organisations. Dialogue and cooperation shall include control and inspection schemes, incentives and obligations for a more effective management of fisheries and coastal environments in the long term.

##### *Amendment*

(b) dialogue and cooperation regarding the conservation of fish stocks including measures to fight illegal, unreported and unregulated fishing and effectively cooperating with and within regional fisheries management organisations. Dialogue and cooperation shall include control and inspection schemes, incentives and obligations for a more effective management of fisheries and coastal environments in the long term. ***Dialogue and cooperation shall be accompanied by an increase, on the part of the Commission, in efforts to promote sustainable fisheries management by supporting local systems of monitoring, and surveillance by means of partnership agreements with the OCTs associated with the Union.***

##### *Justification*

*IUU fishing is currently one of the greatest threats to the sustainability of fish stocks and to the biodiversity of oceans worldwide. Moreover, the business it generates is a form of unfair competition in respect of fishermen who operate within the law. It also causes economic and financial difficulties for the community of fishermen, consumers and the entire sector. Coordination and cooperation between the Commission and the OCTs associated with the EU thus needs to be strengthened in order to combat IUU fishing effectively.*

## Amendment 38

### Proposal for a decision

#### Article 20 – paragraph 2

##### *Text proposed by the Commission*

2. In the field of water supply and sanitation sector, particular attention shall be given to access in under-served areas to drinking water supply and sanitation

##### *Amendment*

2. In the field of water supply and sanitation sector, particular attention shall be given to access in under-served ***or natural disaster-prone*** areas to drinking

services, which contribute directly to human resources development by improving the state of health and increasing productivity.

water supply and sanitation services, which contribute directly to human resources development by improving the state of health and increasing productivity.

## Amendment 39

### Proposal for a decision Article 21

#### *Text proposed by the Commission*

In the context of the association, cooperation in the field of waste management may concern the promotion of the use of the best environmental practice in all operations related to waste management, including the reduction of waste, recycling or other processes for the extraction of secondary raw materials and the disposal of the waste.

#### *Amendment*

In the context of the association, cooperation in the field of waste management may concern the promotion of the use of the best environmental practice in all operations related to **human or animal** waste management, including the reduction of waste, recycling or other processes for the extraction of secondary raw materials and the disposal of the waste.

## Amendment 40

### Proposal for a decision Article 25 – paragraph 2 - point (b)

#### *Text proposed by the Commission*

(b) transport by road, rail, air, sea or inland waterway;

#### *Amendment*

(b) **public** and **other sustainable modes of** transport by road **and transport by** rail, air, sea or inland waterway;

#### *Justification*

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

## Amendment 41

### Proposal for a decision Article 29

#### *Text proposed by the Commission*

In the context of the association, cooperation in the field of information and communication technology (ICT) services aims at spurring, in the OCTs, innovation, economic growth and improvements in daily life for both citizens and businesses, including the promotion of accessibility for persons with disabilities. Cooperation shall, in particular, be directed at enhancing OCTs' regulatory capacity and may support the expansion of ICT networks and services through the following measures:

- (a) creation of a predictable regulatory environment that keeps pace with technological developments, stimulates growth and innovation and fosters competition and consumer protection;
- (b) dialogue on the various policy aspects regarding the promotion and monitoring of the information society;
- (c) exchange of information on standards and interoperability issues;
- (d) promotion of cooperation in the field of ICT research and in the field of ICT-based research infrastructures;
- (e) development of services and applications in domains of high societal impact.

## Amendment 42

### Proposal for a decision Article 30 – introductory phrase

#### *Amendment*

In the context of the association, cooperation in the field of information and communication technology (ICT) services aims at spurring, in the OCTs, innovation, economic growth, ***cooperation, freedom of expression, creation of new jobs*** and improvements in daily life for both citizens and businesses, including the promotion of accessibility for persons with disabilities. Cooperation shall, in particular, be directed at enhancing OCTs' regulatory capacity and may support the expansion of ICT networks and services through the following measures:

- (a) creation of a predictable regulatory environment that keeps pace with technological developments, stimulates growth and innovation and fosters competition and consumer protection;
- (b) dialogue on the various policy aspects regarding the promotion and monitoring of the information society;
- (c) exchange of information on standards and interoperability issues;
- (d) promotion of cooperation in the field of ICT research and in the field of ICT-based research infrastructures;
- (e) development of services and applications in domains of high societal impact ***such as education and vocational training.***



*Text proposed by the Commission*

In the context of the association, cooperation in the field of research and innovation may cover science, technology, including information and communication technologies, with the aim to contribute to the OCTs' sustainable development and to promote excellence and **industrial** competitiveness within OCTs. In particular, cooperation may concern:

*Amendment*

In the context of the association, cooperation in the field of research and innovation may cover science, **education**, technology, including information and communication technologies, with the aim to contribute to the OCTs' sustainable development and to promote excellence and **the competitiveness of businesses, in particular SMEs**, within OCTs. In particular, cooperation may concern:

**Amendment 43**

**Proposal for a decision  
Article 30 – point b**

*Text proposed by the Commission*

(b) policy and institutional building within OCTs and concerted actions at local, national or regional level, with a view to developing science, technology and innovation activities and their application;

*Amendment*

(b) policy and institutional building within OCTs and concerted actions at local, national or regional level, with a view to developing science, **education**, technology and innovation activities and their application;

**Amendment 44**

**Proposal for a decision  
Article 30 – point d**

*Text proposed by the Commission*

(d) participation of individual OCT researchers, research bodies and legal entities from OCTs in the framework for cooperation related to research and innovation programmes **within the Union**;

*Amendment*

(d) participation of individual OCT researchers, research bodies, **SMEs** and legal entities from OCTs in the framework for cooperation related to **Union** research and innovation programmes **and the competitiveness of undertakings, especially SMEs**;

## Amendment 45

### Proposal for a decision Article 30 – point e

*Text proposed by the Commission*

(e) training and international mobility of OCT researchers and **exchange**.

*Amendment*

(e) training and international mobility of OCT researchers **and students** and **exchanges of researchers and students**.

## Amendment 46

### Proposal for a decision Article 31 – paragraph 1

*Text proposed by the Commission*

1. The Union shall ensure that natural persons from OCTs, as defined in Article 49, **can** participate in initiatives of the Union concerning youth on the same basis as nationals of Member States.

*Amendment*

1. The Union shall ensure that natural persons from OCTs, as defined in Article 49, participate in **the** initiatives **and programmes** of the Union concerning youth on the same basis as nationals of Member States.

## Amendment 47

### Proposal for a decision Article 31 – paragraph 2

*Text proposed by the Commission*

2. The association aims at strengthening the ties between young people living in the OCTs and the Union, among others by promoting **learning** mobility of OCT youth and by fostering mutual understanding between young people.

*Amendment*

2. The association aims at strengthening the ties between young people living in the OCTs and the Union, among others by promoting **educational and initial, vocational or continuing training, learning exchanges and** mobility of OCT youth and by fostering **intercultural learning and** mutual understanding between young people.

## Amendment 48

### Proposal for a decision Article 31 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

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

#### **Amendment 49**

##### **Proposal for a decision**

##### **Article 32 – paragraph 1 – point a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) the provision of work-experience opportunities to enable students to develop useful skills for the labour market;***

*Justification*

*The work-experience gives students an insight into working life and enables them to learn by doing.*

#### **Amendment 50**

##### **Proposal for a decision**

##### **Article 32 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) the support to the OCTs in defining and implementing education policies.

(b) the support to the OCTs in defining and implementing education ***and formal and informal vocational training*** policies;

#### **Amendment 51**

##### **Proposal for a decision**

##### **Article 32 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The Union shall ensure that natural persons from the OCTs, as defined in Article 49, ***can*** participate in education

2. The Union shall ensure that natural persons from the OCTs, as defined in Article 49, participate in education ***and***

initiatives of the Union *on the same basis as nationals of Member States*.

*professional training* initiatives of the Union, *in particular the Erasmus for All programme*.

## Amendment 52

### Proposal for a decision Article 32 – paragraph 3

*Text proposed by the Commission*

3. The Union shall ensure that educational bodies and institutes from OCTs can take part in education related cooperation initiatives of the Union on the same basis as the educational bodies and institutes of the Member States.

*Amendment*

3. The Union shall ensure that educational ***and vocational training*** bodies and institutes from OCTs can take part in education ***and professional training*** related cooperation initiatives of the Union on the same basis as the educational ***and vocational training*** bodies and institutes of the Member States.

## Amendment 53

### Proposal for a decision Article 33 – paragraph 1

*Text proposed by the Commission*

1. The Union and the OCTs shall maintain dialogue in the area of employment and social policy in order to contribute to the economic and social development of the OCTs and the promotion of decent work in the OCTs and regions where they are located. Such a dialogue shall also aim at supporting the efforts of the OCTs' authorities to develop policies and legislation in this area.

*Amendment*

1. The Union and the OCTs shall maintain dialogue in the area of employment and social policy in order to contribute to the economic and social development of the OCTs and the promotion of decent work ***and social inclusion in a green economy*** in the OCTs and regions where they are located. Such a dialogue shall also aim at supporting the efforts of the OCTs' authorities to develop policies and legislation in this area.

## Amendment 54

**Proposal for a decision**  
**Article 33 – paragraph 2**

*Text proposed by the Commission*

2. The dialogue shall mainly consist of exchange of information and best practices relating to policies and legislation in the area of employment and social policy that are of mutual interest to the Union and the OCTs. In this regard, areas such as skills development, social protection, social dialogue, equal opportunities, non-discrimination and accessibility for persons with disabilities, health and safety at work and other labour standards shall be taken into consideration.

*Amendment*

2. The dialogue shall mainly consist of exchange of information and best practices relating to policies and legislation in the area of employment and social policy that are of mutual interest to the Union and the OCTs. ***Job creation, particularly in SMEs, shall be boosted by promoting ambitious social standards. The dialogue shall encourage all innovative measures which protect the environment and the health of workers and citizens, aimed at enabling job creation in areas where OCTs have an asset such as biodiversity, mineral resources and new technology, as well as in areas related to improving accessibility.*** In this regard, areas such as ***anticipating future skills requirements***, skills development, ***the training of a qualified workforce to meet labour market needs***, social protection, social dialogue, equal opportunities, non-discrimination and accessibility for persons with disabilities, health and safety at work and other labour standards shall be taken into consideration.

**Amendment 55**

**Proposal for a decision**  
**Article 33 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The Union and the OCTs shall cooperate in order to exchange best practices for active labour market policies, a strong social dialogue, labour standards and social protection in order to safeguard the rights of workers.***

**Amendment 56**

**Proposal for a decision**  
**Article 33 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***2b. The Union and OCTs shall cooperate in order to provide a good balance between security and flexibility in the labour market through comprehensive implementation of flexicurity principles, and to address labour market segmentation, by providing both adequate social protection coverage for people in periods of transition, or on temporary or part-time employment contracts, and access to training, career development and full-time work opportunities.***

**Amendment 57**

**Proposal for a decision**  
**Article 33 – paragraph 2 d (new)**

*Text proposed by the Commission*

*Amendment*

***2d. De-population, including the "brain drain" and emigration of young persons for work, is a challenge for many OCTs and for this reason the Union and OCTs shall cooperate to protect the rights of migrant workers on the labour market.***

**Amendment 58**

**Proposal for a decision**  
**Article 33 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 33a***

***Free movement of workers***

***1. Without prejudice to provisions governing public health, public safety and public order, the Member States of the Union shall not discriminate in any way***

*against workers from OCTs as regards employment, pay and working conditions.*

*2. OCT authorities shall afford workers from Member States treatment that is no less favourable than that which they extend to nationals of third countries and shall not discriminate between nationals of Member States. Notwithstanding this, the authorities of an OCT may, with a view to promoting local employment, adopt regulations to aid local workers. In that event, the OCT authorities shall notify the Commission of the regulations they adopt, in order to enable it inform the Member States.*

*3. This Article shall not apply to jobs in the civil service.*

#### *Justification*

*The association decision should include provisions on the free movement of workers between OCTs and EU Member States.*

#### **Amendment 59**

##### **Proposal for a decision Article 33 a (new)**

*Text proposed by the Commission*

*Amendment*

##### *Article 33a*

*Social dialogue and development of social democracy*

*In the context of the association, the promotion of social dialogue and the development of social democracy may be supported through measures including:*

- actions to provide training for the social partners,*
- actions to permit communication and the creation of spaces devoted to promoting and developing social dialogue and social democracy,*
- actions to enable the exchange of best*

*social practices at regional and local level.*

## **Amendment 60**

### **Proposal for a decision**

#### **Article 34 - point a**

*Text proposed by the Commission*

(a) actions to strengthen preparedness and response capacity against cross-border health threats such as infectious diseases which should be built on existing structures and should target unusual events;

*Amendment*

(a) actions to strengthen preparedness and response capacity against cross-border health threats such as infectious diseases which should be built on existing structures ***and occupational medicine*** and should target unusual events;

## **Amendment 61**

### **Proposal for a decision**

#### **Article 34 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) the Union and OCTs shall organise exchanges of best practice with a view to improving workplace effectiveness. It is important to ensure that all workers are covered by prevention policies and enjoy effective respect for their fundamental right to health;***

## **Amendment 62**

### **Proposal for a decision**

#### **Article 34 -point b**

*Text proposed by the Commission*

(b) capacity building through strengthening public health networks at regional level, facilitating exchange of information among experts and promoting adequate training;

*Amendment*

(b) capacity building through strengthening public health networks at regional level, facilitating exchange of information among experts and promoting adequate training ***and the introduction of telemedicine;***



## Amendment 63

### Proposal for a decision Article 34 a (new)

*Text proposed by the Commission*

*Amendment*

#### *Article 34a*

#### *Health and safety at work*

*In the context of the association, cooperation in the field of health and safety at work shall aim to strengthen the OCTs' capacity for preventing occupational diseases and work-related accidents through measures including:*

- actions seeking to conduct studies and develop expertise on health and safety at work concerning risks specific to the territory in question,*
- assistance for the modernisation of regulations on health and safety at work,*
- support for actions to encourage prevention of work-related risks.*

## Amendment 64

### Proposal for a decision Article 38 – title

*Text proposed by the Commission*

*Amendment*

***Protection of*** cultural heritage ***sites*** and historic monuments

Cultural heritage and historic monuments

## Amendment 65

### Proposal for a decision Article 38, introductory phrase

*Text proposed by the Commission*

*Amendment*

In the context of the association, cooperation in the field of cultural heritage sites and historic monuments aims at

In the context of the association, cooperation in the field of cultural heritage sites and historic monuments aims at

allowing the promotion of exchanges of expertise and best practices through:

allowing the promotion of exchanges of expertise and best practices *and optimising the potential of such sites on a sustainable basis* through:

*Justification*

*Emphasis should be placed on the economic impact, particularly in terms of tourism, of exploiting the potential of heritage sites in a sustainable way.*

**Amendment 66**

**Proposal for a decision**

**Article 38 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

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

**Amendment 67**

**Proposal for a decision**

**Article 44 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 44a**

***Negotiation of trade agreements with third countries***

*When negotiating a trade agreement with a third country, the Union shall strive to provide for the extension of the tariff preferences granted to Union products to products originating in OCTs.*

## Amendment 68

### Proposal for a decision

#### Article 54 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***3a. Where trade agreements currently being negotiated with third countries risk endangering the traditional trade sectors characteristic of OCTs, the Commission shall carry out prior impact assessments of the potential consequences in accordance with the criteria defined by the International Labour Organisation and the UN. When completed, those prior impact assessments shall be forwarded by the Commission to the European Parliament, the Council and the governmental and local authorities of the OCTs before the conclusion of the international agreements in question.***

## Amendment 69

### Proposal for a decision

#### Article 57 – paragraph 1 – point b

*Text proposed by the Commission*

*Amendment*

(b) facilitating the removal of obstacles to trade or investment regarding goods and services of particular relevance for climate change mitigation, such as sustainable renewable energy and energy efficient products and services, including through the adoption of policy frameworks conducive to the deployment of best available technologies and through the promotion of standards that respond to environmental and economic needs and minimise technical obstacles to trade;

(b) facilitating the removal of obstacles to trade or investment regarding goods and services of particular relevance for climate change mitigation, such as sustainable renewable energy and energy efficient products and services, including through the adoption of policy frameworks conducive to the deployment of best available technologies and through the promotion of standards that respond to environmental, ***social*** and economic needs and minimise technical obstacles to trade;

## Amendment 70

### Proposal for a decision

#### Article 57 – paragraph 1 – point c

##### *Text proposed by the Commission*

(c) promoting trade in goods that contribute to social conditions and environmentally sound practices, including goods that are the subject of voluntary sustainability assurance schemes such as fair and ethical trade schemes, eco-labels, and certification schemes for natural resource-based products;

##### *Amendment*

(c) promoting trade in goods that contribute to social conditions and environmentally sound practices, including goods that are the subject of voluntary sustainability assurance schemes such as fair and ethical trade schemes, eco-labels, ***social labels*** and certification schemes for natural resource-based products;

## Amendment 71

### Proposal for a decision

#### Article 62

##### *Text proposed by the Commission*

In the context of the association, cooperation in the field of consumer policy, consumer health protection and trade may include the preparation of laws and regulations in the area of consumer policy and consumer health protection, with a view to avoiding unnecessary barriers to trade.

##### *Amendment*

In the context of the association, cooperation in the field of consumer policy, consumer health protection and trade may include ***the option of temporary recognition of rules and procedures established in the OCTs as well as*** the preparation of laws and regulations in the area of consumer policy and consumer health protection, with a view to avoiding unnecessary barriers to trade.

## Amendment 72

### Proposal for a decision

#### Article 68 – point a

##### *Text proposed by the Commission*

(a) strengthening the OCTs' capacities to define and implement policies necessary for the development of trade in goods and services;

##### *Amendment*

(a) strengthening the OCTs' capacities to define and implement policies necessary for the development of trade in goods and services, ***particularly by means of new information and communications***

*technologies;*

### **Amendment 73**

#### **Proposal for a decision**

#### **Article 68 – point b**

*Text proposed by the Commission*

(b) encouraging the efforts of OCTs to put into place appropriate legal, regulatory and institutional frameworks as well as the necessary administrative procedures;

*Amendment*

(b) encouraging the efforts of OCTs to put into place appropriate legal, regulatory and institutional frameworks as well as the necessary administrative procedures, ***particularly so as to help improve social standards and create a social climate favourable to growth;***

### **Amendment 74**

#### **Proposal for a decision**

#### **Article 68 – point d**

*Text proposed by the Commission*

(d) facilitating market and product development, including product quality improvement;

*Amendment*

(d) facilitating market and product development ***and diversification***, including product quality improvement;

### **Amendment 75**

#### **Proposal for a decision**

#### **Article 68 – point e**

*Text proposed by the Commission*

(e) contributing to the development of human resources and professional skills relevant to trade in goods and services;

*Amendment*

(e) contributing to the development of human resources and professional skills ***by offering adequate training courses*** relevant to trade in goods and services;

## Amendment 76

### Proposal for a decision Article 68 – point f

#### *Text proposed by the Commission*

(f) enhancing the capacity of business intermediaries to provide OCT enterprises services pertinent to their exporting activities, such as market intelligence;

#### *Amendment*

(f) enhancing the capacity of business intermediaries to provide OCT enterprises services pertinent to their exporting activities, such as market intelligence, ***through more effective use of new technology***;

## Amendment 77

### Proposal for a decision Article 79 – 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 statistical data regarding those areas. ***It shall also support the OCTs in their efforts to make their macroeconomic indicators more readily comparable, including through the calculation of purchasing power parities.***

## Amendment 78

### Proposal for a decision Article 80 – paragraph 2

#### *Text proposed by the Commission*

2. On the initiative of the OCTs, studies or technical assistance measures may be financed in relation to the implementation of the activities scheduled ***in the programming documents***. The Commission may decide to finance such action either from the programmable aid or from the envelope earmarked for technical cooperation measures.

#### *Amendment*

2. On the initiative of the OCTs, studies or technical assistance measures may be financed in relation to the implementation of the activities scheduled ***under this Decision***. The Commission may decide to finance such action either from the programmable aid or from the envelope earmarked for technical cooperation measures.

## **Amendment 79**

### **Proposal for a decision**

#### **Article 80 - paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The Commission shall organise at least once a year, preferably in connection with the EU-OCT Forum, a technical meeting of regional authorising officers and authorising officers by delegation with a view to strengthening the institutionalised technical dialogue and streamlining the programming and implementation of funds;***

## **Amendment 80**

### **Proposal for a decision**

#### **Article 82 – paragraph 4 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The Commission shall ensure that the programming rules take account of the OCTs' limited human and administrative resources and their institutional ties with the Member State to which they are linked.***

## **Amendment 81**

### **Proposal for a decision**

#### **Article 82 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

5. The OCT authorities and the Commission shall be jointly responsible for approving the programming document.

5. The OCT authorities and the Commission shall be jointly responsible for approving the programming document. ***In this connection, the programming document shall be the subject of an exchange of views between the OCT, the Member State concerned and the Commission. As part of that exchange of***

*views, technical meetings shall be held between the regional authorising officers and all representatives of the Commission and of the offices and delegations involved in the programming, if possible as an extension of the OCT-EU Forum dialogue.*

## Amendment 82

### Proposal for a decision Article 83 – paragraph 1

#### *Text proposed by the Commission*

1. The Commission shall implement OCT 11th EDF resources in any of the ways set out in the 11th EDF financial regulation and in accordance with the conditions set out in this Decision and in the measures implementing that Decision. To this end, it shall conclude financing agreements with the relevant authorities of the OCTs.

#### *Amendment*

1. The Commission shall implement OCT 11th EDF resources in any of the ways set out in the 11th EDF financial regulation and in accordance with the conditions set out in this Decision and in the measures implementing that Decision. To this end, it shall conclude financing agreements with the relevant authorities of the OCTs ***and hold technical meetings with the regional authorising officers and all representatives of the Commission and of the offices and delegations involved in implementing programming arrangements, if possible as an extension of the OCT-EU Forum dialogue.***

## Amendment 83

### Proposal for a decision Article 84 – paragraph 8

#### *Text proposed by the Commission*

8. The Commission shall inform the Committee of the follow-up, evaluation and audit of Programming documents.

#### *Amendment*

8. The Commission shall inform the Committee ***and the European Parliament simultaneously*** of the follow-up, evaluation and audit of Programming documents.



## *Justification*

*Parliament should be informed of decisions adopted by the Commission.*

### **Amendment 84**

#### **Proposal for a decision Article 88 – paragraph 2**

*Text proposed by the Commission*

2. OCTs shall also ***be eligible for*** support under programmes of the Union for cooperation with other countries, ***notably developing countries***, subject to the rules, objectives and arrangements of these programmes.

*Amendment*

2. OCTs shall also ***receive*** support under programmes of the Union for cooperation with other countries, subject to the rules, objectives and arrangements of these programmes.

### **Amendment 85**

#### **Proposal for a decision Article 88 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. In order to ensure proper and effective involvement of the OCTs in the various horizontal programmes of the Union, the Commission shall launch a fully-fledged ‘OCT strategy’ designating an ‘OCT officer’ in each directorate-general to take part in the formulation of annual action plans in respect of each programme, for example through inter-service consultations, to ensure that due account is taken of the needs and specific nature of the OCTs. The Commission shall also notify the OCTs as soon as possible of the publication of calls for proposals under the various horizontal programmes.***

### **Amendment 86**

**Proposal for a decision**  
**Article 89 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall be empowered to adopt delegated acts complementing the rules in this Decision within **12** months of its entry into force, and amending the Appendices of Annex VI for the purpose of taking into account technological development and changes in customs legislation, in accordance with the procedure laid down in Article 90.

*Amendment*

1. The Commission shall be empowered to adopt delegated acts complementing the rules in this Decision within **six** months of its entry into force, and amending the Appendices of Annex VI for the purpose of taking into account technological development and changes in customs legislation, in accordance with the procedure laid down in Article 90.

**Amendment 87**

**Proposal for a decision**  
**Article 90 - paragraph 3**

*Text proposed by the Commission*

3. The delegation of power referred to in Article 89 may be revoked at any time by the Council. A decision of revocation shall put an end to the delegation of power specified in that Decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

*Amendment*

3. The delegation of power referred to in Article 89 may be revoked at any time by the Council. A decision of revocation shall put an end to the delegation of power specified in that Decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

***Where the Council has commenced an internal procedure for deciding whether to revoke the delegation of powers, it shall inform the European Parliament and the Commission within a reasonable time before the final decision is taken, indicating the delegated powers which could be subject to revocation and possible reasons for a revocation.***

*Justification*

*Although it does not play a co-legislative role in connection with Council decisions of this kind, Parliament has the right to be informed of the adoption of delegated acts by the*

*Commission, of any objections to such acts formulated by the Council and of any Council decision to revoke the delegation of powers.*

## **Amendment 88**

### **Proposal for a decision**

#### **Article 90 - paragraph 4**

*Text proposed by the Commission*

*Amendment*

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

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

*Justification*

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

## **Amendment 89**

### **Proposal for a decision**

#### **Article 90 - paragraph 5 - subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***If it intends to object, the Council shall inform the European Parliament within a reasonable time before it takes the final decision, indicating the delegated act to which it intends to object and the reasons for its objection.***

*Justification*

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

## **Amendment 90**

**Proposal for a decision**  
**Article 90 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 90a**

***Urgency procedure***

- 1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2.***
- 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the emergency procedure.***
- 2. The Council may object to a delegated act in accordance with the procedure referred to in Article 90(5). In such case, the Commission shall repeal the act without delay following the notification of the decision to object by the Council.***

**Amendment 91**

**Proposal for a decision**  
**Article 91 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Council, acting according to the Treaty, shall decide on any necessary adjustments to this Decision when:

The Council, acting according to the Treaty, shall decide, ***after consulting the European Parliament***, on any necessary adjustments to this Decision when:

*Justification*

*Article 203 of the TFEU stipulates that Parliament must be consulted.*

**Amendment 92**

**Proposal for a decision**

## Annex I

### *Text proposed by the Commission*

#### LIST OF THE ISOLATED OCTs

- Falkland Islands
- Saint Helena, Ascension Island, Tristan da Cunha
- St Pierre and Miquelon

### *Amendment*

#### LIST OF THE ISOLATED OCTs

- Falkland Islands
- Saint Helena, Ascension Island, Tristan da Cunha
- St Pierre and Miquelon
- ***Wallis and Futuna***

## Amendment 93

### Proposal for a decision

#### ANNEX II - Article 1 – paragraph 1

### *Text proposed by the Commission*

1. For the purposes of this Decision, for the seven-year period from 1 January 2014 to 31 December 2020, the overall amount of the EU financial assistance of EUR **[343.4 million]** under the 11th EDF fixed by the Internal Agreement establishing the 11th EDF shall be allocated as follows:

(a) EUR **[330.4 million]** in the form of grants for programmable support for long-term development, humanitarian aid, emergency aid, refugee aid and additional support in the event of fluctuations in export earnings as well as for support for regional cooperation and integration;

(b) EUR [5 million] to finance interest subsidies and technical assistance in the context of the OCT Investment Facility referred to in Annex IV;

(c) EUR **[8 million]** to studies or technical assistance measures in accordance with Article 79 of this Decision, and to an overall evaluation of the Decision to be made four years before it expires at the latest.

### *Amendment*

1. For the purposes of this Decision, for the seven-year period from 1 January 2014 to 31 December 2020, the overall amount of the EU financial assistance of EUR **[360,57 million]** under the 11th EDF fixed by the Internal Agreement establishing the 11th EDF shall be allocated as follows:

(a) EUR **[345,57 million]** in the form of grants for programmable support for long-term development, humanitarian aid, emergency aid, refugee aid and additional support in the event of fluctuations in export earnings as well as for support for regional cooperation and integration;

(b) EUR [5 million] to finance interest subsidies and technical assistance in the context of the OCT Investment Facility referred to in Annex IV;

(c) EUR **[10 million]** to studies or technical assistance measures in accordance with Article 79 of this Decision, and to an overall evaluation of the Decision to be made four years before it expires at the latest.

### *Justification*

*In line with Parliament's mandate in respect of the financial framework, a 5% increase in overall EDF funding is requested. Your rapporteur proposes that an additional EUR 2 million should be allocated to technical assistance in view of the various arrangements proposed in this report.*

#### **Amendment 94**

##### **Proposal for a decision**

##### **ANNEX II - Article 3, introductory phrase**

###### *Text proposed by the Commission*

The amount of EUR [330.4 million] mentioned in Article 1(1)(a) shall be allocated on the basis of the needs and performance of the OCTs in accordance with the following criteria:

###### *Amendment*

The amount of EUR [345,57 million] mentioned in Article 1(1)(a) shall be allocated on the basis of the needs and performance of the OCTs in accordance with the following criteria:

#### **Amendment 95**

##### **Proposal for a decision**

##### **ANNEX II - Article 3 – paragraph 2**

###### *Text proposed by the Commission*

EUR [105 million] shall be allocated to support regional cooperation and integration in accordance with Article 7 of this Decision, in particular regarding the priorities and areas of mutual interests mentioned in Article 5 and through consultation via the instances of the EU-OCT partnership mentioned in Article 13. It shall seek coordination with other Union financial instruments, cooperation between the OCTs and the outermost regions referred to in Article 349 of the Treaty.

###### *Amendment*

EUR [120,17 million] shall be allocated to support regional cooperation and integration in accordance with Article 7 of this Decision, in particular regarding the priorities and areas of mutual interests mentioned in Article 5 and through consultation via the instances of the EU-OCT partnership mentioned in Article 13. It shall seek coordination with other Union financial instruments, cooperation between the OCTs and the outermost regions referred to in Article 349 of the Treaty.

### *Justification*

*Your rapporteur would like to see these funds increased in line with the upwards revision of regional funding which is already in place for the 2014-2020 period.*

## Amendment 96

### Proposal for a decision

#### ANNEX VI - Article 3 – paragraph 1 - point (g)

*Text proposed by the Commission*

(g) products of aquaculture where the fish, crustaceans and molluscs are **born and** raised there;

*Amendment*

(g) products of aquaculture where the fish, crustaceans and molluscs are raised there;

#### *Justification*

*Given the particular characteristics of the aquaculture sector in the OCTs, it is important to provide for the possibility of deriving 'originating products' from fry, crustacean seeds and spat from third countries. This is an emerging sector in the OCTs, and is dependent on its ability to access external sources of supply. Furthermore, given the climatic hazards which frequently affect the production areas in question, external sources of supply are essential to ensure the stability and continued existence of the sector.*

## Amendment 97

### Proposal for a decision

#### Annex VI – Article 10 – paragraph 6

*Text proposed by the Commission*

6. The Commission shall adopt a measure granting the cumulation referred to in paragraph 1 **by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 64(2.)**

*Amendment*

6. The Commission shall **be empowered to** adopt **delegated acts in accordance with Article 90 concerning** a measure granting the cumulation referred to in paragraph 1.

## Amendment 98

### Proposal for a decision

#### ANNEX VI - Article 16 – paragraph 6 a (new)

*Text proposed by the Commission*

*Amendment*

**6a. Derogations shall be granted to OCTs in respect of fisheries products within the limit of an annual quota of 2 500 tonnes for fisheries products falling within CN**

*codes 030471, 030483, 030532, 030562, 030614, 0307299010 and 160510.*

*Applications for such derogations shall be submitted by the OCTs or a Member State in accordance with the abovementioned quota to the Committee, which shall grant them automatically and put them into force by means of a decision.*

#### *Justification*

*Given the limited nature of the derogations (in terms of tariff lines and quantity), there is no risk of this provision destabilising the European market.*

*The list specifies the products which require automatic derogations: frozen fillets of cod; salted and dried, but not smoked, cod; salted, but not dried or smoked, cod; frozen fillets of halibut, lemon sole, plaice; crab; frozen meat of scallops.*

#### **Amendment 99**

##### **Proposal for a decision**

##### **Annex VI – Article 16 – paragraph 8**

###### *Text proposed by the Commission*

8. The Commission shall adopt a measure granting a temporary derogation referred to in paragraph 1 ***by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 64(2).***

###### *Amendment*

8. The Commission shall ***be empowered to adopt delegated acts in accordance with Article 90 concerning*** a measure granting a temporary derogation referred to in paragraph 1.

#### **Amendment 100**

##### **Proposal for a decision**

##### **Annex VI – Article 63 – paragraph 3**

###### *Text proposed by the Commission*

3. The Commission shall adopt a measure granting a temporary derogation referred to in paragraph 1 ***by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in***

###### *Amendment*

3. The Commission shall ***be empowered to adopt delegated acts in accordance with Article 90 concerning*** a measure granting a temporary derogation referred to in paragraph 1.



*Article 64(2).*

## **Amendment 101**

### **Proposal for a decision**

#### **Annex VI – Article 64**

*Text proposed by the Commission*

*Amendment*

#### **Committee procedures**

**deleted**

**1. The Commission shall be assisted by the Customs Code Committee established by Article 247a of Regulation (EEC) No 2913/92.**

**2. Where reference is made to this paragraph, Article 5 of regulation (EU) No 182/2011 shall apply.**

## **Amendment 102**

### **Proposal for a decision**

#### **Annex VII – Article 2 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The Commission may temporarily withdraw the preferential arrangements provided for in this Decision, in respect of all or of certain products originating in a beneficiary country, where it considers that there is sufficient evidence that a temporary withdrawal would be justified for the reasons referred to in paragraphs 1 and 2 of Article 1 of this Annex, provided that it has first:

**(a) consulted the Committee referred to in Article 10 of Annex VIII in accordance with the procedure referred to in Article 3 paragraph 2;**

**(b) called on the Member States to take such precautionary measures as are necessary, in order to safeguard the Union's financial interests and/or secure**

1. The Commission may temporarily withdraw the preferential arrangements provided for in this Decision, **by means of delegated acts in accordance with Article 90**, in respect of all or of certain products originating in a beneficiary country, where it considers that there is sufficient evidence that a temporary withdrawal would be justified for the reasons referred to in paragraphs 1 and 2 of Article 1 of this Annex, provided that it has first:

**(a) called on the Member States to take such precautionary measures as are necessary, in order to safeguard the Union's financial interests and/or secure**

compliance by the beneficiary country with its obligations; and

(c) published a notice in the Official Journal of the European Union stating that there are grounds for reasonable doubt about the application of the preferential arrangements and/or compliance by the beneficiary country with its obligations, which may call into question its right to continue to enjoy the benefits granted by this Decision.

The Commission shall inform the OCT(s) concerned of any decision taken in accordance with this paragraph, before it becomes effective. ***The Commission shall also notify the Committee referred to in Article 10 of Annex VIII.***

#### **Amendment 103**

##### **Proposal for a decision Annex VII – Article 2 – paragraph 2**

*Text proposed by the Commission*

2. The period of temporary withdrawal shall not exceed six months. On conclusion of the period, the Commission shall decide either to terminate the temporary withdrawal ***after informing the Committee referred to in Article 10 of Annex VIII*** or to extend the period of temporary withdrawal in accordance with the procedure referred to in paragraph 1 of this Article.

#### **Amendment 104**

##### **Proposal for a decision Annex VII – Article 3**

*Text proposed by the Commission*

***Committee procedure***

compliance by the beneficiary country with its obligations; and

(b) published a notice in the Official Journal of the European Union stating that there are grounds for reasonable doubt about the application of the preferential arrangements and/or compliance by the beneficiary country with its obligations, which may call into question its right to continue to enjoy the benefits granted by this Decision.

The Commission shall inform the OCT(s) concerned of any decision taken in accordance with this paragraph, before it becomes effective.

*Amendment*

2. The period of temporary withdrawal shall not exceed six months. On conclusion of the period, the Commission shall decide either to terminate the temporary withdrawal or to extend the period of temporary withdrawal in accordance with the procedure referred to in paragraph 1 of this Article.

*Amendment*

***deleted***

***1. For the purpose of the implementation of Article 2, the Commission shall be assisted by the Committee referred to in Article 10 of Annex VIII.***

***2. When reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.***

## **Amendment 105**

### **Proposal for a decision Annex VIII – Article 5 – paragraph 2**

*Text proposed by the Commission*

2. Prior surveillance measures shall be adopted by the Commission in accordance with the ***advisory*** procedure referred to in Article 6 of this Annex.

*Amendment*

2. Prior surveillance measures shall be adopted by the Commission in accordance with the procedure referred to in Article 6 of this Annex.

## **Amendment 106**

### **Proposal for a decision Annex VIII – Article 6 – paragraph 1**

*Text proposed by the Commission*

1. On duly justified grounds of urgency relating to deterioration of the economic and/or financial situation of Union producers which would be difficult to repair, provisional measures may be imposed. Provisional measures shall be shall not apply for more than 200 days. Provisional measures shall be adopted by the Commission in accordance with ***the advisory procedure referred to in Article 10 of this Annex***. In cases of imperative grounds of urgency, the Commission shall adopt immediately applicable provisional safeguard measures in accordance with ***the procedure referred to in Article 10 of this Annex***.

*Amendment*

1. On duly justified grounds of urgency relating to deterioration of the economic and/or financial situation of Union producers which would be difficult to repair, provisional measures may be imposed. Provisional measures shall be shall not apply for more than 200 days. Provisional measures shall be adopted by the Commission ***by means of delegated acts*** in accordance with Article ***90***. In cases of imperative grounds of urgency, the Commission shall adopt immediately applicable provisional safeguard measures ***by means of delegated acts*** in accordance with Article ***90a***.

## Amendment 107

### Proposal for a decision

#### Annex VIII – Article 7 – paragraph 1

##### *Text proposed by the Commission*

1. Where the facts as finally established show that the conditions set out in Article 2 of this Annex are not met, the Commission shall adopt a decision terminating the investigation ***and proceeding in accordance with the examination procedure referred to in Article 4 of this Annex.*** The Commission shall make public, with due regard to the protection of confidential information within the meaning of Article 9 of this Annex, a report setting forth its findings and reasoned conclusions reached on all pertinent issues of fact and law.

##### *Amendment*

1. Where the facts as finally established show that the conditions set out in Article 2 of this Annex are not met, the Commission shall adopt a decision terminating the investigation. The Commission shall make public, with due regard to the protection of confidential information within the meaning of Article 9 of this Annex, a report setting forth its findings and reasoned conclusions reached on all pertinent issues of fact and law.

## Amendment 108

### Proposal for a decision

#### Annex VIII – Article 7 – paragraph 2

##### *Text proposed by the Commission*

2. Where the facts as finally established show that the conditions set out in Article 2 of this Annex are met, the Commission shall adopt a decision imposing definitive safeguard measures in accordance with ***the examination procedure referred to in Article 4 of this Annex.*** The Commission shall make public, with due regard to the protection of confidential information within the meaning of Article 9 of this Annex, a report containing a summary of the material facts and considerations relevant to the determination, and notify the OCT authorities immediately of the decision to take the necessary safeguard measures.

##### *Amendment*

2. Where the facts as finally established show that the conditions set out in Article 2 of this Annex are met, the Commission shall adopt a decision imposing definitive safeguard measures ***by means of delegated acts*** in accordance with Article 90. The Commission shall make public, with due regard to the protection of confidential information within the meaning of Article 9 of this Annex, a report containing a summary of the material facts and considerations relevant to the determination, and notify the OCT authorities immediately of the decision to take the necessary safeguard measures.

## **Amendment 109**

### **Proposal for a decision Annex VIII – Article 10**

*Text proposed by the Commission*

*Amendment*

#### ***Committee procedure***

***deleted***

***1. The Commission shall be assisted by the Committee established by Article 4(1) of Council Regulation (EC) No 260/2009 of 26 February 2009 on the common rules for imports. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.***

***2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.***

***3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.***

***4. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 4 thereof, shall apply.***

## **EXPLANATORY STATEMENT**

The overseas countries and territories (OCTs) are a significant asset for Europe in their capacity as strategic outposts promoting European standards and values. They can help the European Union to play the role to which it aspires at international level. Situated as they are in the Indian Ocean, the Caribbean, the Atlantic or the Pacific they are directly confronted with the new challenges which Europe itself must face, including the globalisation of trade and new environmental threats and risks in relation to climate change. The OCTs need to be sustainably developed. Given their natural assets and the opportunities for action they provide, the OCTs could form a crucial component of the European Union's strategies and make an important and innovative contribution to international negotiations.

The current overseas association decision (OAD), which was adopted in 2001, establishes the legal framework for EU support for the OCTs' social and economic development and for their economic relations with the EU. The decision is due to expire on 31 December 2013.

The process of revising the OAD for the 2014-2020 period was launched in 2008 with a public consultation on the Green Paper on 'Future relations between the EU and the overseas countries and territories'. This was followed by the Commission's communication 'Elements for a new partnership between the EU and the overseas countries and territories (OCTs)' in 2009 and the signature of a joint position paper adopted by the governments of the Member States and the OCTs on 28 February 2011 in Noumea on the occasion of the 9th annual EU-OCTs forum.

The renewal of the association arrangements is vital for the OCTs. Your rapporteur welcomes, therefore, the proposal for a new decision on the association of the OCTs with the EU adopted on 16 July 2012 by the College of Commissioners, and would like to congratulate the Commission on the very high standard of its work in this connection.

The proposed OAD submitted to the Member States closely reflects the positions outlined by the Commission in the 2008 Green Paper and the 2009 communication. The updated framework provides a good overall response to the main points underlined in the joint position paper of February 2011. However, your rapporteur would like to highlight certain essential points so as to ensure the new framework is resolutely future-oriented.

### **General provisions of the association and cooperation objectives**

The OAD's new objectives match the OCTs' development priorities and the specific challenges they face, as identified by the Commission in its 2009 communication:

1. enhancing OCTs' competitiveness,
2. strengthening OCTs' resilience,
3. reducing OCTs' vulnerability,
4. promoting cooperation between the OCTs and other partners.

Your rapporteur would draw Commission's attention to the first of these objectives, namely enhancing competitiveness. The OAD proposal does not actually provide much in the way of

guidance for the implementation of this objective. Your rapporteur proposes that, to ensure that the trade preferences granted to OCTs are fully exploited, measures should be introduced to offset certain specific competitive disadvantages. Given that the competitiveness of OCTs cannot be based on lower costs, they can only meet the challenges with which they are confronted through innovation and an entrepreneurial spirit. The EU could boost their innovation strategies by supporting the development of niche markets and high-value-added products and services, and could enhance the image of specific OCT products by supporting the promotion and labelling of such products.

Moreover, the areas of cooperation for sustainable development could include competitiveness and extend to Community innovation, research and enterprise programmes. The second part of the OAD proposal could, therefore, include provisions to enhance the participation of OCTs in such programmes, to develop operational contact points for local information and to make it easier for OCTs to join networks such as the EEN (Enterprise Europe Network).

### **Areas of cooperation**

The areas of cooperation correspond, in general, to the overall objectives set out in Article 2 of the proposal for an OAD.

Your rapporteur suggests that greater emphasis should be placed on tourism, agriculture and sustainable transport in this connection.

### **Trade issues**

The Union's trade policy has had the effect of progressively eroding the OCTs' tariff preferences, thereby placing them in direct competition with third countries with lower production costs. One challenge for future EU/OCT relations is the need to define a new European strategy which differentiates in favour of OCTs in order to strengthen their competitiveness.

**This applies in particular to rules of origin, which appear to be too rigid for the OCTs' microeconomies.** Given their economic isolation, the OAD could include more flexible arrangements aimed at boosting the activities of the economic sectors concerned, including fisheries in particular. This traditional industry is a formative element of the identity of the territories in question and helps to maintain the dynamism of complementary economic activities such as tourism. It is important, therefore, for the OAD to provide for derogations from the rules of origin, granted on the basis of a decision of the European Council, which would enable derogations to be granted automatically, within the limit of annual quotas and in the case of a certain specified products.

### **Simplified planning**

Simplified procedures are essential if the 11th European Development Fund (EDF) is to be implemented efficiently.

Your rapporteur reiterates his wish to see a simplified and more flexible financial instrument,

taking particular account of the limited administrative and budgetary capacity of some OCTs. The institutional ties between the OCTs and the Member States to which they are linked, and the existence of strict rules for the management of public funds, provide the necessary safeguards for the use of EFD funds by OCTs.

The OAD should, therefore, stress the need to simplify procedures with a view to facilitating the implementation of the 11th EDF, and the provisions implementing the OAD should incorporate these simplified rules.

Institutional arrangements should also be made for annual or biannual technical meetings of territorial and delegated authorising officers with the Commission, along the lines of the meetings of management authorities held in Brussels for the structural funds, with a view streamlining the programming and implementation of funds and facilitating dialogue.

### **Cooperation and regional programming**

Regional cooperation forms a central element of the future association framework, and corresponds to the OED's 4th objective. It is essential, therefore, for it to be facilitated in practice by simplifying procedures in connection with the 11th EDF.

In the case of cooperation with the outermost regions (OR) and the OCT's neighbouring ACP and non-ACP countries, the legislative proposal states that 'The Union shall improve coordination and synergies between cooperation programmes supported by different EU financial instruments' (Article 7). Efforts should be made to ensure, therefore, that joint projects involving ACP countries, OCTs and ORs are programmed.

Joint regional projects involving OCTs, ORs and ACP and non-ACP countries can become a reality if dialogue between the stakeholders involved in programming is facilitated and if the programming procedures applying to the various aid instruments are compatible.

Your rapporteur takes this opportunity to reiterate Parliament's call for the budgetisation of the EDF and calls on the Commission to draw up a structured programme of work with a view to achieving this objective in connection with the financial framework for the next programming period, with particular reference to the possibility of cooperation between OCTs, OR and ACP countries.

### **Eligibility for horizontal programmes**

Since the 2007 revision of the association decision, OCTs have, in theory, had access to European 'horizontal' sectoral programmes as of 1 January 2007. These programmes, in the field of education, the environment and research and development, are an essential vehicle for developing the OCTs and boosting the visibility of the EU in the OCTs. Your rapporteur warmly welcomes Article 76 and 88 of the OAD proposal, which establish, as a general rule, the OCT's eligibility for funding under all the programmes financed by the Union budget.

Nevertheless, the EU should make greater efforts to help the OCTs to improve their latent and effective capacity to respond to the Commission's calls for proposals. Identifying a 'resource person' at the Commission to deal with matters relating to the OCTs' participation in European



programmes would facilitate their involvement by, for example, ensuring their specific features were taken more fully into account when procedures were drawn up and ensuring the territories concerned were better informed about them.

The support of Union or Commission representatives in the OCTs would also improve access by OCTs to horizontal programmes.

### **Governance and ‘instances of dialogue’**

#### **a) dialogue between the OCTs, the Commission and the Member States:**

Tripartite policy talks are essential for the smooth implementation of the OAD and the 11th EDF. The OCTs are currently experiencing major difficulties in connection with programming and the implementation of financial assistance. The three-way dialogue, which is partially decentralised, is complex and currently subject to significant delays.

The proposed OAD restricts the number of tripartite meetings to four per year, whereas it was customary, up to 2010, to hold a tripartite meeting about every six weeks. To avoid regulating the number of such meetings too inflexibly, your rapporteur proposes that at least four meetings of this type should be held per year.

#### **b) cooperation with ACP countries and OR:**

To meet the objective of strengthening regional cooperation and promoting the OCTs as outposts of the EU in their respective regions, action should be taken to:

- encourage access to the annual EU-OCT Forum, where justified, for OR and the OCTs' neighbouring ACP or non-ACP countries;
- encourage access by OCTs, where justified, to the Forum of the Outermost Regions held every two years;
- reinstate in the proposal Article 8 of the current OAD, which promotes access by the OCTs to the EU/ACP dialogue as observers or to other forums for dialogue between the EU and States neighbouring the OCTs, where appropriate.

30.1.2013

## OPINION OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL AFFAIRS

for the Committee on Development

on the proposal for a Council decision on the association of the overseas countries and territories with the European Union ('Overseas Association Decision')  
(COM(2012)0362 – C7-0285/2012 – 2012/0195(CNS))

Rapporteur: Philippe Boulland

### SHORT JUSTIFICATION

This new Overseas Association Decision is of major significance for the OCTs, since it should enable them to put their economies and societies on a sustainable development path by increasing their competitiveness and meeting their needs while respecting their specific characteristics and diversity. In this context, particular emphasis must be placed on vocational training and job-creating measures.

### AMENDMENTS

The Committee on Employment and Social Affairs calls on the Committee on Development, as the committee responsible, to incorporate the following amendments in its report:

#### Amendment 1

##### Proposal for a decision

##### Recital 6

*Text proposed by the Commission*

(6) The contribution of civil society to OCT development can be enhanced by strengthening civil society organisations in all spheres of cooperation.

*Amendment*

(6) The contribution of civil society to OCT development can be enhanced by strengthening civil society organisations ***and giving them greater responsibility*** in all spheres of cooperation.

## Amendment 2

### Proposal for a decision Recital 7

#### *Text proposed by the Commission*

(7) Given the OCTs geographical position, cooperation between them and their neighbours, despite the different status vis-à-vis Union law of each actor in a given geographical area, shall be pursued in the interests of all sides, and with a particular focus on areas of common interest and the promotion the Union's values and standards.

#### *Amendment*

(7) Given the OCTs geographical position, cooperation between them and their neighbours, despite the different status vis-à-vis Union law of each actor in a given geographical area, shall be pursued in the interests of all sides, and with a particular focus on areas of common interest and the promotion the Union's values and standards, ***particularly those of a humanitarian and social nature.***

## Amendment 3

### Proposal for a decision Recital 12

#### *Text proposed by the Commission*

(12) It is important to support the OCTs in their efforts in becoming less dependent on fossil fuels, with a view to reducing their vulnerability to fuels access and price volatility, thus making their economy more resilient and less vulnerable to external shocks.

#### *Amendment*

(12) It is important to support the OCTs in their efforts in becoming less dependent on fossil fuels, with a view to reducing their vulnerability to fuels access and price volatility, thus making their economy more resilient and less vulnerable to external shocks, ***particularly in terms of jobs.***

## Amendment 4

### Proposal for a decision Recital 14

#### *Text proposed by the Commission*

(14) The effects of the OCTs' remoteness constitute a ***barrier*** to their ***competitiveness*** and thus it is important to improve the accessibility of the OCTs.

#### *Amendment*

(14) The effects of the OCTs' remoteness constitute a ***challenge*** to their ***economic development*** and thus it is important to improve the accessibility of the OCTs.

## Amendment 5

### Proposal for a decision Recital 15

*Text proposed by the Commission*

(15) The Union and the OCTs recognise the importance of education as a lever for the OCTs' sustainable development.

*Amendment*

(15) The Union and the OCTs recognise the importance of education **and vocational training** as a lever for the OCTs' sustainable development.

## Amendment 6

### Proposal for a decision Recital 16 a (new)

*Text proposed by the Commission*

*Amendment*

***(16a) A crucial aim of cooperation should be improving working conditions, labour and trade union rights. An important role has to be played in the process by trade unions and other workers' representatives.***

## Amendment 7

### Proposal for a decision Recital 17

*Text proposed by the Commission*

*Amendment*

(17) The incidence of communicable diseases in the OCTs, such as dengue in the Caribbean and the Pacific and Chikungunya in the Indian Ocean region, can have significant negative health and economic impacts. Beyond decreasing the productivity of affected populations, epidemics in OCTs are likely to heavily impact tourism, which is a mainstay of many OCTs' economies. With large numbers of tourists and migrant workers travelling to OCTs, they are vulnerable to importation of infectious diseases.

(17) The incidence of communicable diseases in the OCTs, such as dengue in the Caribbean and the Pacific and Chikungunya in the Indian Ocean region, can have significant negative health and economic impacts. Beyond decreasing the productivity of affected populations, epidemics in OCTs are likely to heavily impact tourism, which is a mainstay of many OCTs' economies. With large numbers of tourists and migrant workers travelling to OCTs, they are vulnerable to importation of infectious diseases. ***Easy***

Inversely, the large flow of people travelling back from OCTs could be a vector of introduction of communicable diseases in Europe. Ensuring a “safe tourism” is therefore a critical factor for the sustainability of the OCT economies that heavily rely on tourism.

***and regular access to occupational medicine could reduce the scale of epidemics.*** Inversely, the large flow of people travelling back from OCTs could be a vector of introduction of communicable diseases in Europe. Ensuring a “safe tourism” is therefore a critical factor for the sustainability of the OCT economies that heavily rely on tourism.

## Amendment 8

### Proposal for a decision

#### Recital 19

##### *Text proposed by the Commission*

(19) The Union recognises the importance to develop a more active partnership with the OCTs as regards to good governance and the fight against organised crime, trafficking in human beings, terrorism and corruption.

##### *Amendment*

(19) The Union recognises the importance to develop a more active partnership with the OCTs as regards to good ***economic, social and fiscal*** governance and the fight against organised crime, trafficking in human beings, terrorism and corruption.

## Amendment 9

### Proposal for a decision

#### Recital 20

##### *Text proposed by the Commission*

(20) Trade and trade-related cooperation between the Union and the OCTs should contribute to the objective of sustainable development in economic development, social development and environmental protection dimensions.

##### *Amendment*

(20) Trade and trade-related cooperation between the Union and the OCTs should contribute ***as a matter of course*** to the objective of sustainable development in economic development, social development and environmental protection dimensions.

## Amendment 10

### Proposal for a decision Recital 21

*Text proposed by the Commission*

(21) Global changes, reflected in the continuing process of trade liberalisation, broadly implicate the Union, the principal trading partner of the OCTs, their ACP neighbours and other economic partners.

*Amendment*

(21) Global changes, reflected in the continuing process of trade liberalisation, broadly implicate the Union, the principal trading partner of the OCTs, their ACP neighbours and other economic partners.  
***This implies a shared responsibility for including, as a matter of course, minimum social clauses in any negotiated partnership or trade agreement.***

## Amendment 11

### Proposal for a decision Recital 21 a (new)

*Text proposed by the Commission*

*Amendment*

***(21a) Austerity policies have had detrimental effects on employment and the livelihoods of millions of workers and the poor around the world, therefore there is the need for cooperation between OCTs and the Union to break from these policies and advance ambitious programmes of public investment as the only way of guaranteeing decent living and working conditions for the majority of the population in both OCTs and the Union.***

## Amendment 12

### Proposal for a decision Recital 26

*Text proposed by the Commission*

(26) Taking into account the aims of integration and the developments of global

*Amendment*

(26) Taking into account the aims of integration and the developments of global

trade in the area of services and establishment, it is necessary to support the development of services markets and investment possibilities by improving the market access of OCT services and investment to the Union market. In this regard the Union should offer to OCTs the best possible treatment offered to any other trading partner through comprehensive most favoured nation clauses, while ensuring more flexible possibilities for trade relations for OCTs by limiting the treatment offered by OCTs to the Union to what has been offered to other major trading economies.

trade in the area of services and establishment, it is necessary to support the development of services markets and investment possibilities by improving the market access of OCT services and investment to the Union market ***and facilitating their access to public procurement contracts.*** In this regard the Union should offer to OCTs the best possible treatment offered to any other trading partner through comprehensive most favoured nation clauses, while ensuring more flexible possibilities for trade relations for OCTs by limiting the treatment offered by OCTs to the Union to what has been offered to other major trading economies.

## Amendment 13

### Proposal for a decision

#### Recital 28

##### *Text proposed by the Commission*

(28) Sanitary and phyto-sanitary measures and technical barriers to trade may have an impact on trade and require cooperation. Trade and trade-related cooperation also should address competition policies and intellectual property rights, which affect the equitable distribution of the gains of trade.

##### *Amendment*

(28) Sanitary and phyto-sanitary measures and technical barriers to trade may have an impact on trade ***and on the employment situation*** and require cooperation. Trade and trade-related cooperation also should address ***employment policies, particularly those concerning young people,*** competition policies and intellectual property rights, which affect the equitable distribution of the gains of trade.

## Amendment 14

### Proposal for a decision

#### Recital 29

##### *Text proposed by the Commission*

(29) To ensure that OCTs may participate under the best conditions in the Union's internal market as well as regional, sub-

##### *Amendment*

(29) To ensure that OCTs may participate under the best conditions in the Union's internal market as well as regional, sub-

regional and international markets, it is important to develop the capacity of OCTs in relevant areas. These include the development of human resources and their skills, the development of small and medium enterprises, the diversification of economic sectors and the implementation of an appropriate legal framework in order to achieve a business climate conducive to investment.

regional and international markets, it is important to develop the capacity of OCTs in relevant areas. These include the development of human resources and their skills *by: offering appropriate vocational and continuing training; facilitating the development of small and medium enterprises; facilitating access to micro-funding instruments and loans;* the diversification of economic sectors; and the implementation of an appropriate legal framework in order to achieve a business climate conducive to investment. *To that end, combining EDF funds with programmes and instruments under the EU's general budget for which OCTs are eligible would make it possible to leverage and rationalise proposed investments.*

#### **Amendment 15**

##### **Proposal for a decision Recital 30 a (new)**

*Text proposed by the Commission*

*Amendment*

*(30a) OCTs can play a crucial role in the fight against tax havens. In this regard, the need to move towards genuine transparency of the financial sector should be underlined.*

#### **Amendment 16**

##### **Proposal for a decision Article 5 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

(b) the promotion of green growth;

(b) the promotion of green growth *and green jobs in all green-growth industries;*



## **Amendment 17**

### **Proposal for a decision**

#### **Article 5 – paragraph 2 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) job creation, education, vocational training and health;***

## **Amendment 18**

### **Proposal for a decision**

#### **Article 5 – paragraph 2 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(fa) the establishment of social dialogue;***

## **Amendment 19**

### **Proposal for a decision**

#### **Article 5 – paragraph 2 – point g a (new)**

*Text proposed by the Commission*

*Amendment*

***(ga) facilitating access to new information and communications technology;***

## **Amendment 20**

### **Proposal for a decision**

#### **Article 5 – paragraph 2 – point g b (new)**

*Text proposed by the Commission*

*Amendment*

***(gb) the engagement of young people in the labour market to minimise youth unemployment.***

## Amendment 21

### Proposal for a decision

#### Article 6 – paragraph 1

##### *Text proposed by the Commission*

1. With an aim to strengthen the relations between themselves, the Union and the OCTs endeavour to make the association known among their citizens, in particular by promoting the development of the links and cooperation between the authorities, academic community, civil society and businesses of OCTs on the one hand and their interlocutors within the Union on the other.

##### *Amendment*

1. With an aim to strengthen the relations between themselves, the Union and the OCTs endeavour to make the association known among their citizens, in particular by promoting the development of the links and cooperation between the authorities, academic community, civil society, ***the social partners*** and businesses of OCTs on the one hand and their interlocutors within the Union on the other.

## Amendment 22

### Proposal for a decision

#### Article 7 – paragraph 4 – point c a (new)

##### *Text proposed by the Commission*

##### *Amendment*

***(ca) job-creation and vocational training;***

## Amendment 23

### Proposal for a decision

#### Article 13 – paragraph 1 – point (a)

##### *Text proposed by the Commission*

(a) an OCT-EU forum for dialogue (the OCT-EU Forum), shall meet annually to bring together OCT 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 be associated with the OCT-EU Forum, ***where appropriate;***

##### *Amendment*

(a) an OCT-EU forum for dialogue (the OCT-EU Forum), shall meet annually to bring together OCT 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 be associated with the OCT-EU Forum;

## Amendment 24

### Proposal for a decision Article 29

#### *Text proposed by the Commission*

In the context of the association, cooperation in the field of information and communication technology (ICT) services aims at spurring, in the OCTs, innovation, economic growth and improvements in daily life for both citizens and businesses, including the promotion of accessibility for persons with disabilities. Cooperation shall, in particular, be directed at enhancing OCTs' regulatory capacity and may support the expansion of ICT networks and services through the following measures:

- (a) creation of a predictable regulatory environment that keeps pace with technological developments, stimulates growth and innovation and fosters competition and consumer protection;
- (b) dialogue on the various policy aspects regarding the promotion and monitoring of the information society;
- (c) exchange of information on standards and interoperability issues;
- (d) promotion of cooperation in the field of ICT research and in the field of ICT-based research infrastructures;
- (e) development of services and applications in domains of high societal impact.

#### *Amendment*

In the context of the association, cooperation in the field of information and communication technology (ICT) services aims at spurring, in the OCTs, innovation, economic growth, ***cooperation, freedom of expression, creation of new jobs*** and improvements in daily life for both citizens and businesses, including the promotion of accessibility for persons with disabilities. Cooperation shall, in particular, be directed at enhancing OCTs' regulatory capacity and may support the expansion of ICT networks and services through the following measures:

- (a) creation of a predictable regulatory environment that keeps pace with technological developments, stimulates growth and innovation and fosters competition and consumer protection;
- (b) dialogue on the various policy aspects regarding the promotion and monitoring of the information society;
- (c) exchange of information on standards and interoperability issues;
- (d) promotion of cooperation in the field of ICT research and in the field of ICT-based research infrastructures;
- (e) development of services and applications in domains of high societal impact ***such as education and vocational training***.

## Amendment 25

### Proposal for a decision

#### Article 30 – introductory part

##### *Text proposed by the Commission*

In the context of the association, cooperation in the field of research and innovation may cover science, technology, including information and communication technologies, with the aim to contribute to the OCTs' sustainable development and to promote excellence and industrial competitiveness within OCTs. In particular, cooperation may concern:

##### *Amendment*

In the context of the association, cooperation in the field of research and innovation may cover science, **education**, technology, including information and communication technologies, with the aim to contribute to the OCTs' sustainable development and to promote excellence and industrial competitiveness within OCTs. In particular, cooperation may concern:

## Amendment 26

### Proposal for a decision

#### Article 30 – point a a (new)

##### *Text proposed by the Commission*

##### *Amendment*

***(aa) promotion of access to new technology for all;***

## Amendment 27

### Proposal for a decision

#### Article 30 – point b

##### *Text proposed by the Commission*

(b) policy and institutional building within OCTs and concerted actions at local, national or regional level, with a view to developing science, technology and innovation activities and their application;

##### *Amendment*

(b) policy and institutional building within OCTs and concerted actions at local, national or regional level, with a view to developing science, **education**, technology and innovation activities and their application;

## Amendment 28

### Proposal for a decision Article 30 – point d

*Text proposed by the Commission*

(d) participation of individual OCT researchers, research bodies and legal entities from OCTs in the framework for cooperation related to research and innovation programmes within the Union;

*Amendment*

(d) participation of individual OCT researchers, research bodies, **SMEs** and legal entities from OCTs in the framework for cooperation related to research and innovation programmes **and the Programme for the Competitiveness of Enterprises** within the Union;

## Amendment 29

### Proposal for a decision Article 30 – point e

*Text proposed by the Commission*

(e) training and international mobility of OCT researchers and **exchange**.

*Amendment*

(e) training and international mobility of OCT researchers **and students** and **exchanges of researchers and students**.

## Amendment 30

### Proposal for a decision Article 31 – paragraph 1

*Text proposed by the Commission*

1. The Union shall ensure that natural persons from OCTs, as defined in Article 49, can participate in initiatives of the Union concerning youth on the same basis as nationals of Member States.

*Amendment*

1. The Union shall ensure that natural persons from OCTs, as defined in Article 49, can participate in **the** initiatives **and programmes** of the Union concerning youth on the same basis as nationals of Member States.

## Amendment 31

**Proposal for a decision**  
**Article 31 – paragraph 2**

*Text proposed by the Commission*

2. The association aims at strengthening the ties between young people living in the OCTs and the Union, among others by promoting **learning** mobility of OCT youth and by fostering mutual understanding between young people.

*Amendment*

2. The association aims at strengthening the ties between young people living in the OCTs and the Union, among others by promoting **educational and initial, vocational or continuing training, learning exchanges and** mobility of OCT youth and by fostering **intercultural learning and** mutual understanding between young people, **and by creating favourable conditions for them to develop their skills and to work and participate actively in society which is essential for sustainable economic and social development.**

**Amendment 32**

**Proposal for a decision**  
**Article 31 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The Union and OCTs shall cooperate in order to have young people actively engaged on the labour market in order to avoid youth unemployment.**

**Amendment 33**

**Proposal for a decision**  
**Article 32 – paragraph 1 – point a (new)**

*Text proposed by the Commission*

*Amendment*

**(aa) the provision of work-experience opportunities for students which can help young people to make decisions about their future career and to develop useful skills for the labour market;**

### *Justification*

*The work-experience gives students an insight into working life and enables them to learn by doing.*

#### **Amendment 34**

##### **Proposal for a decision**

##### **Article 32 – paragraph 1 – point b**

###### *Text proposed by the Commission*

(b) the support to the OCTs in defining and implementing education policies.

###### *Amendment*

(b) the support to the OCTs in defining and implementing education ***and formal and informal vocational training*** policies;

#### **Amendment 35**

##### **Proposal for a decision**

##### **Article 32 – paragraph 1 – point b a (new)**

###### *Text proposed by the Commission*

###### *Amendment*

***(ba) the provision of adequate training and educational opportunities which can facilitate promotion of skills for green jobs, with a specific emphasis on promoting gender equality.***

#### **Amendment 36**

##### **Proposal for a decision**

##### **Article 32 – paragraph 2**

###### *Text proposed by the Commission*

2. The Union shall ensure that natural persons from the OCTs, as defined in Article 49, can participate in education initiatives of the Union on the same basis as nationals of Member States.

###### *Amendment*

2. The Union shall ensure that natural persons from the OCTs, as defined in Article 49, can participate in education ***and vocational training*** initiatives of the Union on the same basis as nationals of Member States.

## Amendment 37

### Proposal for a decision Article 32 – paragraph 3

*Text proposed by the Commission*

3. The Union shall ensure that educational bodies and institutes from OCTs can take part in education related cooperation initiatives of the Union on the same basis as the educational bodies and institutes of the Member States.

*Amendment*

3. The Union shall ensure that educational **and vocational training** bodies and institutes from OCTs can take part in education related cooperation initiatives of the Union on the same basis as the educational **and vocational training** bodies and institutes of the Member States.

## Amendment 38

### Proposal for a decision Article 33 – paragraph 1

*Text proposed by the Commission*

1. The Union and the OCTs shall maintain dialogue in the area of employment and social policy in order to contribute to the economic and social development of the OCTs and the promotion of decent work in the OCTs and regions where they are located. Such a dialogue shall also aim at supporting the efforts of the OCTs' authorities to develop policies and legislation in this area.

*Amendment*

1. The Union and the OCTs shall maintain dialogue in the area of employment and social policy in order to contribute to the economic and social development of the OCTs and the promotion of decent work **and social inclusion in a green economy** in the OCTs and regions where they are located. Such a dialogue shall also aim at supporting the efforts of the OCTs' authorities to develop policies and legislation in this area.

## Amendment 39

### Proposal for a decision Article 33 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**1a. The Union and the OCTs shall cooperate in order to promote decent jobs in conditions of freedom, equality, security and human dignity thus facilitating poverty reduction and achieving inclusive and sustainable development.**



## Amendment 40

### Proposal for a decision Article 33 – paragraph 2

#### *Text proposed by the Commission*

2. The dialogue shall mainly consist of exchange of information and best practices relating to policies and legislation in the area of employment and social policy that are of mutual interest to the Union and the OCTs. In this regard, areas such as skills development, social protection, social dialogue, equal opportunities, non-discrimination and accessibility for persons with disabilities, health and safety at work and other labour standards shall be taken into consideration.

#### *Amendment*

2. The dialogue shall mainly consist of exchange of information and best practices relating to policies and legislation in the area of employment and social policy that are of mutual interest to the Union and the OCTs. ***Job creation, particularly in SMEs, should be boosted by promoting ambitious social standards. The dialogue should encourage all innovative measures which should protect the environment and the health of workers and citizens, aimed at enabling job creation in areas where OCTs have an asset such as biodiversity, mineral resources and new technology, as well as in areas related to improving accessibility.*** In this regard, areas such as ***anticipating future skills requirements,*** skills development, ***the training of a qualified workforce to meet labour market needs,*** social protection, social dialogue, equal opportunities, non-discrimination and accessibility for persons with disabilities, health and safety at work and other labour standards shall be taken into consideration.

## Amendment 41

### Proposal for a decision Article 33 – paragraph 2 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***2a. The Union and the OCTs shall cooperate in order to exchange best practices for active labour market policies, a strong social dialogue, job standards and social protection to***

*safeguard the rights of workers and their communities, to fight against forced or child labour and to combat undeclared work.*

#### **Amendment 42**

##### **Proposal for a decision**

##### **Article 33 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

*2b. The Union and OCTs shall cooperate in order to provide a good balance between security and flexibility in the labour market through a comprehensive implementation of flexicurity principles, and to address labour market segmentation, by providing both adequate social protection coverage for people in periods of transition, or on temporary or part-time employment contracts, and access to training, career development and full-time work possibilities.*

#### **Amendment 43**

##### **Proposal for a decision**

##### **Article 33 – paragraph 2 c (new)**

*Text proposed by the Commission*

*Amendment*

*2c. The Union and OCTs shall exchange best practices and cooperate to provide investments in services, such as affordable, fulltime and high-quality childcare, all-day school places and care for elderly, that help promote gender equality, foster a better work–life balance and create a framework which allows people to enter or re-enter the labour market.*

#### **Amendment 44**

**Proposal for a decision**  
**Article 33 – paragraph 2 d (new)**

*Text proposed by the Commission*

*Amendment*

***2d. De-population, including the "brain drain" and emigration of young persons for work, is a challenge for many OCTs and for this reason Union and OCTs shall cooperate to protect the rights of migrant workers on the labour market.***

**Amendment 45**

**Proposal for a decision**  
**Article 33 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 33a***

***Social dialogue and development of social democracy***

***In the context of the association, the promotion of social dialogue and the development of social democracy could be supported through measures including:***

- actions to provide training for the social partners,***
- actions to permit communication and the creation of spaces devoted to promoting and developing social dialogue and social democracy,***
- actions to enable the exchange of best social practices at regional and local level.***

**Amendment 46**

**Proposal for a decision**  
**Article 34 - point a**

*Text proposed by the Commission*

*Amendment*

(a) actions to strengthen preparedness and response capacity against cross-border

(a) actions to strengthen preparedness and response capacity against cross-border

health threats such as infectious diseases which should be built on existing structures and should target unusual events;

health threats such as infectious diseases which should be built on existing structures **and occupational medicine** and should target unusual events;

#### **Amendment 47**

##### **Proposal for a decision Article 34 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) the Union and OCTs shall organise exchanges of best practice with a view to improving workplace effectiveness. It is important to ensure that all workers are covered by prevention policies and enjoy effective respect for their fundamental right to health;***

#### **Amendment 48**

##### **Proposal for a decision Article 34 -point b**

*Text proposed by the Commission*

*Amendment*

(b) capacity building through strengthening public health networks at regional level, facilitating exchange of information among experts and promoting adequate training;

(b) capacity building through strengthening public health networks at regional level, facilitating exchange of information among experts and promoting adequate training **and the introduction of telemedicine;**

#### **Amendment 49**

##### **Proposal for a decision Article 34 a (new)**

*Text proposed by the Commission*

*Amendment*

##### ***Article 34a***

##### ***Health and safety at work***

***In the context of the association, cooperation in the field of health and***

*safety at work aims at strengthening the OCTs' capacity for preventing occupational diseases and work-related accidents through measures including:*

*– actions seeking to conduct studies and develop expertise on health and safety at work concerning risks specific to the territory in question,*

*– assistance for the modernisation of regulations on health and safety at work,*

*– support for actions to encourage prevention of work-related risks.*

## **Amendment 50**

### **Proposal for a decision**

#### **Article 54 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

*3a. Where trade agreements currently being negotiated with third countries risk endangering the traditional trade sectors characteristic of OCTs, the Commission shall carry out prior impact assessments of the potential consequences in accordance with the criteria defined by the ILO and the UN. When completed, these prior impact studies shall be forwarded by the Commission to the European Parliament, the Council and the governmental and local authorities of the OCTs before the conclusion of the international agreements in question.*

## **Amendment 51**

### **Proposal for a decision**

#### **Article 57 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) facilitating the removal of obstacles to trade or investment regarding goods and

(b) facilitating the removal of obstacles to trade or investment regarding goods and

services of particular relevance for climate change mitigation, such as sustainable renewable energy and energy efficient products and services, including through the adoption of policy frameworks conducive to the deployment of best available technologies and through the promotion of standards that respond to environmental and economic needs and minimise technical obstacles to trade;

services of particular relevance for climate change mitigation, such as sustainable renewable energy and energy efficient products and services, including through the adoption of policy frameworks conducive to the deployment of best available technologies and through the promotion of standards that respond to environmental, **social** and economic needs and minimise technical obstacles to trade;

## Amendment 52

### Proposal for a decision

#### Article 57 – paragraph 1 – point c

##### *Text proposed by the Commission*

(c) promoting trade in goods that contribute to social conditions and environmentally sound practices, including goods that are the subject of voluntary sustainability assurance schemes such as fair and ethical trade schemes, eco-labels, and certification schemes for natural resource-based products;

##### *Amendment*

(c) promoting trade in goods that contribute to social conditions and environmentally sound practices, including goods that are the subject of voluntary sustainability assurance schemes such as fair and ethical trade schemes, eco-labels, **social labels** and certification schemes for natural resource-based products;

## Amendment 53

### Proposal for a decision

#### Article 62

##### *Text proposed by the Commission*

In the context of the association, cooperation in the field of consumer policy, consumer health protection and trade may include the preparation of laws and regulations in the area of consumer policy and consumer health protection, with a view to avoiding unnecessary barriers to trade.

##### *Amendment*

In the context of the association, cooperation in the field of consumer policy, consumer health protection and trade may include **the option of temporary recognition of rules and procedures established in the OCTs as well as** the preparation of laws and regulations in the area of consumer policy and consumer health protection, with a view to avoiding unnecessary barriers to trade.

## Amendment 54

### Proposal for a decision Article 68 – point a

*Text proposed by the Commission*

(a) strengthening the OCTs' capacities to define and implement policies necessary for the development of trade in goods and services;

*Amendment*

(a) strengthening the OCTs' capacities to define and implement policies necessary for the development of trade in goods and services, ***particularly by means of new information and communications technologies***;

## Amendment 55

### Proposal for a decision Article 68 – point b

*Text proposed by the Commission*

(b) encouraging the efforts of OCTs to put into place appropriate legal, regulatory and institutional frameworks as well as the necessary administrative procedures;

*Amendment*

(b) encouraging the efforts of OCTs to put into place appropriate legal, regulatory and institutional frameworks as well as the necessary administrative procedures, ***particularly so as to help improve social standards and create a social climate favourable to growth***;

## Amendment 56

### Proposal for a decision Article 68 – point d

*Text proposed by the Commission*

(d) facilitating market and product development, including product quality improvement;

*Amendment*

(d) facilitating market and product development ***and diversification***, including product quality improvement;

## Amendment 57

### Proposal for a decision Article 68 – point e

*Text proposed by the Commission*

(e) contributing to the development of human resources and professional skills relevant to trade in goods and services;

*Amendment*

(e) contributing to the development of human resources and professional skills ***by offering adequate training courses*** relevant to trade in goods and services;

## Amendment 58

### Proposal for a decision Article 68 – point f

*Text proposed by the Commission*

(f) enhancing the capacity of business intermediaries to provide OCT enterprises services pertinent to their exporting activities, such as market intelligence;

*Amendment*

(f) enhancing the capacity of business intermediaries to provide OCT enterprises services pertinent to their exporting activities, such as market intelligence, ***through more effective use of new technology***;



## PROCEDURE

<b>Title</b>	Association of the overseas countries and territories with the European Union ("Overseas Association Decision")
<b>References</b>	COM(2012)0362 – C7-0285/2012 – 2012/0195(CNS)
<b>Committee responsible</b> Date announced in plenary	DEVE 13.9.2012
<b>Opinion by</b> Date announced in plenary	EMPL 13.9.2012
<b>Rapporteur</b> Date appointed	Philippe Boulland 24.10.2012
<b>Discussed in committee</b>	6.12.2012                      14.1.2013
<b>Date adopted</b>	24.1.2013
<b>Result of final vote</b>	+:                      35 –:                      1 0:                      0
<b>Members present for the final vote</b>	Edit Bauer, Heinz K. Becker, Pervenche Berès, Vilija Blinkevičiūtė, Milan Cabrnich, Alejandro Cercas, Minodora Cliveti, Marije Cornelissen, Emer Costello, Andrea Cozzolino, Frédéric Daerden, Marian Harkin, Nadja Hirsch, Stephen Hughes, Ádám Kósa, Jean Lambert, Patrick Le Hyaric, Thomas Mann, Elisabeth Morin-Chartier, Csaba Öry, Siiri Oviir, Sylvana Rapti, Licia Ronzulli, Elisabeth Schroedter, Joanna Katarzyna Skrzydlewska, Jutta Steinruck, Traian Ungureanu, Andrea Zanon
<b>Substitute(s) present for the final vote</b>	Georges Bach, Malika Benarab-Attou, Sergio Gutiérrez Prieto, Richard Howitt, Paul Murphy, Ria Oomen-Ruijten, Gabriele Zimmer
<b>Substitute(s) under Rule 187(2) present for the final vote</b>	Jens Nilsson

22.1.2013

## **OPINION OF THE COMMITTEE ON FISHERIES**

for the Committee on Development

on the proposal for a Council decision on the association of the overseas countries and territories with the European Union ('Overseas Association Decision')  
(COM(2012)0362 – C7-0285/2012 – 2012/0195(CNS))

Rapporteur: Crescenzo Rivellini

### **SHORT JUSTIFICATION**

Overseas countries and territories (OCTs) are islands located in the Atlantic, Antarctic, Arctic, Caribbean, Indian Ocean and Pacific regions that constitutionally depend on four EU Member States: Denmark, France, the Netherlands and the United Kingdom.

The EU intends to revise the principles upon which its cooperation with OCTs is based. This new approach should encourage their sustainable development, taking account of their specificities.

As regards the fisheries sector, the EU should give greater support to the OCTs' local systems of monitoring, control, inspection and surveillance in order to combat illegal, unreported and unregulated (IUU) fishing and related trade. It is also vital that there be effective cooperation with, and within, regional fisheries management organisations, to promote the implementation of measures to combat IUU fishing, which is currently one of the greatest threats to the sustainability of fish stocks.

In the field of integrated coastal zone management, EU-OCT cooperation should strike a balance between economic and social activities, such as fisheries and aquaculture, tourism, maritime transport and the potential of marine and coastal zones in terms of renewable energy and raw materials, whilst taking into account the impact of climate change and human activities.

As far as maritime affairs are concerned, EU-OCT cooperation should promote marine knowledge and biotechnology, ocean energy, maritime surveillance, coastal zone management and an ecosystem based management.

With regard to the sustainable management of fish stocks, EU-OCT cooperation should be

based on responsible fisheries management in the conservation and sustainable management of fish stocks, with regular consultations between the parties as regards the conservation and management of living marine resources and with exchanges of information on the ongoing state of the resources.

The main challenge that OCTs face is that of putting their economies and societies on a sustainable development path by increasing their competitiveness, reducing their vulnerability, cooperating with their neighbours and integrating in the regional and/or world economies, where possible. For the EU, the challenge lies in supporting the OCTs in achieving these goals, through a framework that is adapted to OCT needs, realities, particularities and diversity.

## AMENDMENTS

The Committee on Fisheries calls on the Committee on Development, as the committee responsible, to incorporate the following amendment into its report:

### Amendment 1

#### Draft decision

#### Article 19 – paragraph 2 – point b

##### *Council draft*

(b) dialogue and cooperation regarding the conservation of fish stocks including measures to fight illegal, unreported and unregulated fishing and effectively cooperating with and within regional fisheries management organisations. Dialogue and cooperation shall include control and inspection schemes, incentives and obligations for a more effective management of fisheries and coastal environments in the long term.

##### *Amendment*

(b) dialogue and cooperation regarding the conservation of fish stocks including measures to fight illegal, unreported and unregulated fishing and effectively cooperating with and within regional fisheries management organisations. Dialogue and cooperation shall include control and inspection schemes, incentives and obligations for a more effective management of fisheries and coastal environments in the long term. ***Dialogue and cooperation shall be accompanied by an increase, on the part of the Commission, in efforts to promote sustainable fisheries management by supporting local systems of monitoring, and surveillance by means of partnership agreements with the overseas countries and territories associated with the European Union.***

### *Justification*

*IUU fishing is currently one of the greatest threats to the sustainability of fish stocks and to the biodiversity of oceans worldwide. Moreover, the business it generates is a form of unfair competition in respect of fishermen who operate within the law. It also causes economic and financial difficulties for the community of fishermen, consumers and the entire sector.*

*Coordination and cooperation between the Commission and the OCTs associated with the EU thus needs to be strengthened in order to combat IUU fishing effectively.*

## PROCEDURE

<b>Title</b>	Association of the overseas countries and territories with the European Union ('Overseas Association Decision')	
<b>References</b>	COM(2012)0362 – C7-0285/2012 – 2012/0195(CNS)	
<b>Committee responsible</b> Date announced in plenary	DEVE 13.9.2012	
<b>Opinion by</b> Date announced in plenary	PECH 13.9.2012	
<b>Rapporteur</b> Date appointed	Crescenzo Rivellini 26.10.2012	
<b>Discussed in committee</b>	28.11.2012	18.12.2012
<b>Date adopted</b>	22.1.2013	
<b>Result of final vote</b>	+: 21 -: 0 0: 0	
<b>Members present for the final vote</b>	Kriton Arsenis, Alain Cadec, Chris Davies, Carmen Fraga Estévez, Pat the Cope Gallagher, Dolores García-Hierro Caraballo, Marek Józef Gróbarczyk, Iliana Malinova Iotova, Werner Kuhn, Isabella Lövin, Gabriel Mato Adrover, Guido Milana, Maria do Céu Patrão Neves, Crescenzo Rivellini, Ulrike Rodust, Raúl Romeva i Rueda, Isabelle Thomas, Nils Torvalds	
<b>Substitute(s) present for the final vote</b>	Julie Girling, Jens Nilsson, Antolín Sánchez Presedo	

## PROCEDURE

<b>Title</b>	Association of the overseas countries and territories with the European Union ("Overseas Association Decision")			
<b>References</b>	COM(2012)0362 – C7-0285/2012 – 2012/0195(CNS)			
<b>Date of consulting Parliament</b>	10.9.2012			
<b>Committee responsible</b> Date announced in plenary	DEVE 13.9.2012			
<b>Committee(s) asked for opinion(s)</b> Date announced in plenary	EMPL 13.9.2012	ENVI 13.9.2012	ITRE 13.9.2012	IMCO 13.9.2012
	TRAN 13.9.2012	REGI 13.9.2012	PECH 13.9.2012	CULT 13.9.2012
	LIBE 13.9.2012			
<b>Not delivering opinions</b> Date of decision	ENVI 12.9.2012	ITRE 17.9.2012	IMCO 18.9.2012	TRAN 8.10.2012
	REGI 18.9.2012	CULT 19.9.2012	LIBE 19.9.2012	
<b>Rapporteur(s)</b> Date appointed	Patrice Tirolien 18.9.2012			
<b>Discussed in committee</b>	22.1.2013			
<b>Date adopted</b>	19.2.2013			
<b>Result of final vote</b>	+: 26 -: 0 0: 0			
<b>Members present for the final vote</b>	Thijs Berman, Michael Cashman, Ricardo Cortés Lastra, Véronique De Keyser, Leonidas Donskis, Charles Goerens, Mikael Gustafsson, Filip Kaczmarek, Michał Tomasz Kamiński, Miguel Angel Martínez Martínez, Gay Mitchell, Norbert Neuser, Jean Roatta, Birgit Schnieber-Jastram, Michèle Striffler, Alf Svensson, Keith Taylor, Eleni Theocharous, Patrice Tirolien, Anna Záborská			
<b>Substitute(s) present for the final vote</b>	Philippe Boulland, Agustín Díaz de Mera García Consuegra, Enrique Guerrero Salom, Isabella Lövin, Gesine Meissner, Judith Sargentini			
<b>Date tabled</b>	27.2.2013			