

EUROPE INFORMATION

DE 76 □
OCTOBER 1993

The European Community and the Overseas Countries and Territories

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Text : Miss J.Uwamwiza, in conjunction with the OCT Coordination Unit of the Directorate-General for Development at the Commission of the European Communities
Manuscript completed in September 1993.

Cover photograph : Rural electrification on Mayotte - installing the line (CEC Delegation, Mauritius).

Graphic design and layout : Bam's Studio, Brussels.

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Printed in Belgium.



THE EUROPEAN COMMUNITY AND THE OVERSEAS COUNTRIES AND TERRITORIES

CONTENTS

1	THE CONSTRUCTION OF THE EUROPEAN COMMUNITY	3
	I. The Community in Europe	3
	A. A brief history	3
	B. The institutions of the European Community	3
	II. The Community in the world	5
	A. External relations	5
	B. Relations with the developing countries	6
2	THE EC AND THE OCT	9
	I. History of an Association	9
	II. What are the OCT and what are they like ?	10
	III. States of the OCT in relation to their Member States	11
	IV. The OCT and the ACP States from the EC's point of view	14
	V. The OCT and the OD from the EC's point of view	14
3	THE CURRENT DECISION ON THE ASSOCIATION OF THE OCT WITH THE EEC	16
	I. A partnership of associates	16
	II. Particularly favourable trade arrangements	17
	III. Industrial development	19
	IV. Right of establishment and freedom of movement	19
	V. Financial and technical cooperation	20
4	THE TREATY ON EUROPEAN UNION AND THE OCT	22
5	ANNEXES	23

Glossary

- ACP** African, Caribbean and Pacific States
- CAP** Common agricultural policy
- EC** European Communities (Coal and Steel, Economic, Atomic Energy), commonly called the European Community
- CEC** Commission of the European Communities
- EEC** European Economic Community
- ECU** European Currency Unit (ecu), worth approximately 1.2 US dollars in September 1993
- EDF** European Development Fund
- EIB** European Investment Bank
- OCT** Overseas Countries and Territories
- OD** (French) Overseas departments



1 THE CONSTRUCTION OF THE EUROPEAN COMMUNITY

I. THE COMMUNITY IN EUROPE

A. A brief history

There are 12 countries in the European Community - Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom, all of which have signed treaties which form the framework for the construction of a united Europe.

It began with six countries in **1951**, when the first Treaty, setting up the European Coal and Steel Community, was signed in Paris by Belgium, France, the Federal Republic of Germany, Italy, Luxembourg and the Netherlands. Then, in **1957**, came the two Treaties of Rome, setting up the European Economic Community (EEC) and the European Atomic Energy Community (Euratom), which were aimed at achieving economic union and creating a common market.

On 1 July 1968, the customs union was brought in, abolishing duties between the Member States and setting up a common external customs tariff. But the construction went beyond a simple customs union : closer cooperation every day brought the free movement of goods, capital and services and common policies for external trade, agriculture, fisheries, transport and other sectors of the economy.

In **1973**, the European Community saw its first enlargement, to the North, with the arrival of **Denmark, Ireland** and the **United Kingdom**, and it subsequently extended its borders to the South, when **Greece** joined in **1981** and **Spain and Portugal** in **1986**.

The **Single Act (1986)**, which strengthened the original treaties and increased the Community's scope, is in itself one of the most important European economic events of the past decade, for it gave fresh stimulus to the construction of the Community by agreeing that the internal market should be completed by the end of 1992.

Macro-economically, the completion of the internal market should stimulate growth, create more jobs and improve Europe's competitive position. The Community economy, thus revitalized, should tone up the world economy and provide new openings for its suppliers, both inside and outside the Community.

It will repercuss on the Community's trading partners in many ways. In practice, it means that the import restrictions which the Member States were allowed to keep are now going.

Firms which export to the Community now have the benefit of **a single market of 345 million consumers** with the same (or mutually recognised) standards and procedures. All they have to do to market their goods Community-wide is adhere to a single set of standards, just like the Community's own firms. No longer are there 12 different sets of national rules to contend with. They have the benefit of economies of scale and a more flexible market, just like the Community's own firms.

On **7 February 1992**, the Heads of State and Government officially signed the Treaty on European Union in Maastricht (it was adopted two months earlier, on 11 December 1991), thus opening the way to **Political Union** and **Economic and Monetary Union (EMU)** for the Member States of the European Community. They had in fact fixed the aim of EMU at the Hannover Summit in June 1988, as they were anxious to prolong the positive effects of what they felt was an irreversible move towards a single market.

Just after the events in Eastern Europe began, the Twelve decided to move closer on **foreign policy and common security**. The Community's new dimension was also good grounds for strengthening its democratic legitimacy, developing its scope, with respect for the new principle of subsidiarity, and making it clear that citizens of its individual nations were citizens of Europe as well.

B. The institutions of the European Community

The Member States have common dialogue and decision-making bodies to enable them to produce Community policies and legal acts.

The **Council of Ministers**, the decision-making body on which the Member States are represented by their ministers, lays down the Community's main policies. The principle is that all decisions are taken by majority votes (Article 148 of the Treaty), but the situation in fact varies, with some decisions (on agriculture and external trade, for example) taken by a qualified majority and others (on tax and social affairs, for example) unanimously.

The twelve Member States of the EC

Belgium
Denmark
France
Germany
Greece
Ireland
Italy
Luxembourg
Netherlands
Portugal
Spain
United Kingdom

The twenty OCT

British OCT

Anguilla
Cayman Islands
Falkland Islands
South Georgia & South Sandwich Islands
Montserrat
Pitcairn
Ste Helena and Dependencies
British Antarctic Territory
British Indian Ocean Territory
Turks and Caicos Islands
British Virgin Islands

Netherlands OCT

Aruba
Netherlands Antilles
(Curaçao, Bonaire, St. Maarten, St. Eustache, Saba)

French OCT

Mayotte
New Caledonia
French Polynesia
St-Pierre & Miquelon
Southern & Antarctic Lands
Wallis & Futuna

Country with special relations with Denmark

Greenland

The **Commission** proposes and implements common policies and ensures that the treaties and the decisions of the Community institutions are properly applied. It has 17 members, elected by the Member States for four-year terms, and, with the European Parliament alone controlling its decisions, it is relatively independent. Its job is to:

- produce draft European laws to be presented to the Council of Ministers, Parliament and the Economic and Social Committee;
- apply the Council of Ministers' decisions and the various Community policies;
- draw up the budget, which is put before the Council of Ministers and Parliament.

The **European Parliament** is involved in the process leading up to the adoption of Community acts, giving its opinions on Commission proposals and voting on the Community budget every year. Since the Treaty on European Union (Maastricht), it has had the power to ask the Commission to submit proposals on whatever matters it feels need attention. Since 1979, the 567-strong House has been elected for five-year terms by universal suffrage, with each Community country sending a number of members proportional to its population.

The **European Council**, comprising the Heads of State and Government of the Member States, assisted by their Foreign Ministers, and the President of the European Commission, meets twice a year to lay down guidelines for Community policy - the creation of the European Monetary System, for example, the Single Act and so on.

The **Court of Justice**, a bench of 13 judges, settles disputes relating to Community law. In Community matters, its judgements take precedence over the judgements of national courts.

The **Court of Auditors**, which comprises 12 members appointed for a six-year term by common agreement by the Council of Ministers, checks on the way Community money is spent.

The **European Investment Bank** was originally set up to finance the Community's investment operations, with capital from the Member States. This is still its main activity, although it has broadened its scope to include the developing countries - the OCT and the ACP and Mediterranean States - and recently the States of Eastern and Central Europe. More recently still, it has been authorised to assist in Latin America too.

The **Economic and Social Committee (ESC)** is a 189-member consultative body representing the Community's employers, trade unions and other interest groups, which gives opinions on Commission proposals before they are adopted by the Council.

The **Committee of the Regions** is a consultative body set up by the Treaty on European Union (Maastricht), whose 189 members, representing local and regional authorities, advise the Council and the Commission on their particular areas. It acts in conjunction with the Economic and Social Committee on any questions of interest to them both.

II. THE COMMUNITY IN THE WORLD

In its relations with other countries, the Community's aim is to stimulate world trade and the economic development of the underprivileged nations. It is the world's greatest trading power, it has backed the successive negotiations on tariff reductions and its own external customs tariff, averaging 5.6%, is one of the lowest anywhere.

Since 1971, it has had a system of generalised preferences designed to boost the developing countries' exports. It has signed every international product agreement and set up a substantial fund to stabilise the export earnings of many producing countries. In addition to its commercial activity, it helps most of the countries of the Third World with their economic development.

Part of its budget goes on aid programmes in virtually all the developing countries with which it has agreements. Some of these agreements cover trade preferences and financial and technical assistance, mainly through the European Development Fund (EDF), as with the EEC-ACP and EEC-OCT agreements, and some cover economic cooperation of a more general kind.

A. External relations

The Community has concluded bilateral and multilateral agreements with the countries of the Mediterranean, the Gulf Cooperation Council, the Association of South East Asian Nations (ASEAN) and the Andean Pact, with various countries of Asia and Latin America and so on.

When it comes to the **industrialised countries**, the Community's most sustained relations are, particularly, with the USA and Japan. These relations reflect the size of the three economies and their importance in world trade, but they are also proof of what they have in common, which is to say democratic traditions and a faith in a market economy. The Community has similar relations with other economically advanced countries, such as Canada, Australia and New Zealand.

Common interests do not rule out the occasional trade dispute, but such things have never posed a fundamental threat to relations.

The Community and the EFTA countries have had special preferential relations ever since the early 1970s, when two of EFTA's founder members, the United Kingdom and Denmark, joined the Community. In 1972-1973, the Community concluded free trade agreements with each of the EFTA countries to avoid customs barriers between its two new members and their former EFTA partners.

The **EFTA countries** are the Community's biggest export market overall. They take more than a quarter of the

Community's external sales and the Community takes more than half theirs.

At the Edinburgh Summit of December 1992, the European Council decided to embark upon accession negotiations with Austria, Finland and Sweden, the Commission having already given an opinion on these countries. At the same time, the Council asked the Commission for an opinion on the opening of negotiations with Norway and, as this was delivered in January 1993, talks are now under way with these four Nordic countries.

At the Copenhagen Summit (June 1993), the European Council wanted the negotiations to move quickly so that accession could actually take place on 1 January 1995, although each country concerned will be holding a referendum on the results of the negotiations. Each of the Parliaments of the Member States of the Community will have to ratify them too.

One of the most dynamic of the new aspects of the Community's external policy is its relations with its neighbours in **Central and Eastern Europe**. The dual impact of the completion of the internal market and the return of centrally planned economies to democracy and free markets is making for a higher degree of economic integration.

The dramatic events in the various countries of Central and Eastern Europe since 1989 have redrawn the political and economic map of the continent and German unification has brought the Community face to face with the need to create an accelerated integration programme for the territory of the former German Democratic Republic.

The other countries in the region have opted for democracy and free trade and all of them have tried to strengthen their ties with the Community, many of them with the assertion that their ultimate aim is actually to join it.

The Community has come up with a new type of association agreement, the so-called European Agreements, for these countries. Meanwhile, steps have been taken to extend the system of generalised preferences to the countries of Eastern Europe and to bring forward the date for discontinuation of the import quotas. The new agreements provide both for free trade and for economic and technical cooperation, financial assistance and the establishment of a political dialogue. As free trade comes nearer, the Community will lower its customs duties and other import barriers faster than the partner countries. There will be a flexible timetable, geared to each specific situation, for the associated countries' opening of their markets to Community products.

The Community has paid special attention to the specific nature of its partners in Central and Eastern Europe, giving each one the individual treatment which its particular circumstances require.

B. Relations with the developing countries

Alongside the Community's relations with the countries of the Mediterranean, the Middle East, Asia and Latin America, there is the Europe-South dialogue, which began around the oldest relations of all, those which an emerging EEC privileged when, in signing the Treaty of Rome, it agreed to build a bridge between it and the overseas countries, most of which were colonies and territories under French sovereignty. That was when Part Four of the Treaty of Rome, on the overseas countries and territories, was laid down. And a first Convention of Association was annexed to the Treaty.

The **EDF**, which was set up in this Convention of Association with the OCT annexed to the Treaty, is the Community's means of expressing its solidarity with its first partners' development by earmarking a considerable amount of financial aid.

In the early 1960s, some of the colonies became independent nations, but almost all were keen to keep the benefit of their association with the EEC, which meant financial solidarity with their economic and social development and privileged access to the European market for their goods. So the Convention of Association between the European Economic Community and the Associated African States and Madagascar (AASM) was signed in Yaoundé on 20 July 1963.

An emerging Europe was thus committed financially and commercially to helping a large number of first OCTs and then AASMs.

The fact that the colonial era came to a close just as the construction of a united Europe took off was behind the emergence of a real European development cooperation policy, which produced the Yaoundé Conventions, with 18 AASM, and then the Lomé Conventions, the first of which was signed, with 46 States of Africa, the Caribbean and the Pacific, in 1975. The latest Lomé Convention, Lomé IV, was signed, with 69 ACP States, on 15 December 1989.

Alongside the Lomé Conventions, the Council has brought out its successive Decisions on the Association of the OCT to the EEC which provide the basis for cooperation between the Community and the OCT. So EEC-ACP and EEC-OCT cooperation is still the cornerstone of the Community's development policy in terms of both finance and trade.

The **preferential opening of the Community market** is the main feature of the trade arrangements adopted for products originating in the OCT and ACPs. Since 1991, in fact, all products originating in the OCT have had complete and unlimited free access to the Community market, whereas they used to have the same preferential arrangements as those for the AASM and then the ACP States.

Products originating in the ACP States also get privileged treatment, i.e. goods enter the Community market free of customs duties or taxes of equivalent effect and without quotas - other than for one or two products directly or indirectly covered by the common agricultural policy, which do not get complete and unlimited access, but tend to have preferential treatment in comparison with what is offered to third countries.

The ACP-EEC Conventions and the OCT association decisions facilitate the partners' exports by reserving these trade preferences for products originating in the ACP States and OCT. What they in fact do is lay down rules of origin designed to confine free access to the Community (or preferential arrangements) to products which really have been produced or processed locally and have therefore provided employment. This avoids other countries benefitting from preferential treatment by using the ACP States or OCT as a way into the EEC market.

The principle of transshipment, introduced in 1991, is another way of enabling third country products which transit through the OCT without being processed to benefit from free access to the Community, provided that, when they enter the OCT, they pay customs duties or levies at least equivalent to Community duties or levies.

The advantages provided for the ACP States and the OCT have involved no reciprocity since 1975. The Lomé Conventions and the Decisions on the Association of the OCT simply protect Community exports from any discrimination which would be of benefit to other developed countries.

The European Development Fund (EDF)

All the Member States of the Community contribute to this Fund, which finances development schemes in African, Caribbean and Pacific countries which have signed Lomé and in OCT associated to the Community.

(Photo Horst Wagner)

Stabilising export revenue - Stabex

The Stabex system, set up in 1975 under the 4th EDF (Lomé I, 1975, and the 1976 OCT Association Decision), is for both ACP States and OCT.

The idea is to transfer financial compensation to the ACP States and OCT to limit the detrimental effects of losing revenue from exports of some of their agricultural products to the Community. The losses may be caused by one-off problems in a particular sector or a particular OCT, or by more general problems of the market, usually leading to a lowering of export prices or quantities exported or both.

EDF resources are divided into **programme aid** and **non-programme aid**. The EEC and its partners negotiate the use of programme aid and produce an indicative programme for the ACP or overseas country or territory in question (an outline document covering five years of financial and technical cooperation between the two partners). Programme aid also includes an allocation for each region, for the financing of regional cooperation projects and programmes.

Non-programme aid (which includes, for example, Stabex, Sysmin, risk capital and emergency humanitarian relief), for which objective criteria of allocation are laid down in advance, is not earmarked for any particular OCT.

EDF resources, other than risk capital which is managed by the European Investment Bank, are managed by the Commission. They are renewed whenever a new convention or a new OCT association decision is signed.

The first EDF was set up in 1958 and there have been seven Funds altogether since then, each one lasting five years. The 4th EDF ran during Lomé I (1975-1980), the 5th during Lomé II (1980-1985) and the 6th during Lomé III (1985-1990); the 7th will run for the first five years of Lomé IV (1990-1995). Whenever an ACP-EEC Convention of Lomé is signed, the Council takes an autonomous Decision on Association of the OCT to the EEC.

Experience shows that the opening of the European market to ACP and OCT products and the financial and technical cooperation offered for ACP and OCT development have helped boost their production potential and improve their competitive position, but are not enough to cope with general economic problems. So two additional non-programme aid systems, Stabex and Sysmin, were brought in.

The priority for Stabex transfers is in the financing of projects and programmes in problem sectors, but it is also possible to allocate the funds to other sectors, in particular to diversify output.

In the case of the OCT, Stabex usually only covers exports to the Community, although there is the possibility of extending the geographical coverage of exports through two kinds of derogation - for exports to other OCT and almost all destinations. Almost all the agricultural commodities exported by the OCT are covered by Stabex.

Stabex is financed by the EDF. The allocation for the first five years of the Council Decision of 25 July 1991 on the Association of the Overseas Countries and Territories to the European Economic Community ⁽¹⁾ is ECU 6 million, which is divided into annual instalments so as to avoid it all being spent prematurely. Transfers, in the form of grants, are made once various technical conditions have been met.

(1) Decision 91/482/EEC of 25 July 1991, OJ L263 of 19 September 1991, page 1.

Safeguarding mining potential - Sysmin

A special financing facility was set up under the fifth EDF (Lomé II, 1979, and the 1980 OCT Association Decision) to protect mining and mineral production in ACP States and OCT whose economy is dependent on this sector and to enable them to cope with any problems which exist or are expected to occur in the near future.

Sysmin, which uses different machinery from Stabex, is of potential interest to a large number of ACPs, particularly the copper-producers amongst them, which are currently the biggest beneficiaries. New Caledonia, which has nickel as its leading export product, is the main OCT to be concerned here.

Sysmin assistance is part of the non-programme EDF aid and most of it is cofinanced with other donors (the EIB, the IBRD and the ADB). A Sysmin grant of ECU 2.5 million was allocated to the OCT under Association Decision 91/482/EEC.

The EIB and risk capital

Alongside these grants, the EDF non-programme aid includes **loans from the European Investment Bank**, with interest rebates from the EDF, and EIB-managed **risk capital schemes**.

Association Decision 91/482/EEC gave the OCT ECU 25 million-worth of risk capital loans from the EIB's own resources.

Emergency humanitarian aid

Development projects make up the bulk of EDF interventions, but there are also emergency situations calling for immediate injections of non-investment aid. ECU 3 million has been allocated for the emergency humanitarian schemes (which often go hand in hand with emergency food aid financed from the Community budget) provided for by the Decision on the Association of the OCT to the EEC and ECU 1.5 million of this is for relief for returnees and displaced persons.

2 THE EC AND THE OCT

I. HISTORY OF AN ASSOCIATION

The overseas countries and territories are associated with the European Economic Community.

It is perhaps useful to look at the history of the OCT to see how they developed and reached the situation they are in today.

Part Four of the EEC Treaty is on the Association of the Overseas Countries and Territories, so the authors of that Treaty in fact gave the OCT the status of associates back in 1957. The aims and means of this association were laid down in Articles 131-135 of the Treaty. The idea, according to Article 131, was to "promote the economic and social development of the countries and territories and to establish close economic relations between them and the Community as a whole."

1° Association, an autonomous act of the Community, is, Article 131 said, open to "the non-European countries and territories which have special relations with Belgium, France, Italy and the Netherlands". They were listed in Annex IV of the Treaty.

Following the first enlargement, association was extended to six countries and territories with relations with the United Kingdom and, in 1986, partly to Greenland.

Although many of the OCT became independent during the 1960s, becoming the Associated African States and Madagascar (AASM) and then, in 1975, the African, Caribbean and Pacific (ACP) States, the OCT association laid the foundations for **the Community's future development policy**. For the first time, the High Contracting Parties indicated the Community's solidarity with developing countries and territories with special relations with some of its Member States and **steered the Community** as a whole towards close economic relations with them and towards cooperation with their development. So, on 25 March 1957, they signed an implementing agreement setting up the first European Development Fund (EDF) and laying down measures governing the right of establishment and the system of trade.

Every five years thereafter, the Council adopted decisions confirming and specifying the characteristics of association, in line with the five Conventions of Yaoundé I, Yaoundé II, Lomé I, Lomé II and Lomé III, negotiated and signed with the independent States.

This explains the constant parallel between the regulations governing the OCT and those governing the AASM and then the ACP States.

The Decision on the Association of the OCT to the EEC (91/482/EEC) of 25 July 1991, which, like Lomé IV, is for 10 years, has moved firmly away from this traditional parallel with the ACP States. It contains a number of innovations, which make it far more favourable to the OCT than previous decisions.

2° Fundamentally, the association is based on the successive Council decisions and the arrangements laid down in these decisions are the only ones which apply. It is affected by neither the general provisions of the Treaty nor any secondary legislation arising from these provisions.

In implementing these arrangements (via the Commission or the EIB), the Community respects the constitutions binding each of the States to its OCT. Council decisions referring to the "competent authorities of the countries and territories" therefore leave it to the management bodies and the Member States' authorities to agree on procedures which are in accordance with their constitutions.

3° Member States' representatives in the Council also take a decision on the trade arrangements for ECSC products every five years. But there are no provisions on the Euratom Treaty.

4° In a different development, the special case of Greenland came to the fore in 1986. Back in 1979, Greenland had said it wanted to decide whether to stay in the EEC (which Denmark joined in 1973) and a referendum in February 1982 led to the Council signing a Treaty amending, with regard to Greenland, the Treaties establishing the European Communities (13 March 1984), which was then sent for ratification in the Member States. Under this Treaty, Greenland was added to the OCT listed in Annex IV of the Treaty of Rome and it figured for the first time among the OCT listed in Annex I of Decision 96/283/EEC of 30 June 1986.

Greenland gets different financial treatment from the other OCT. It was agreed that it would not get the benefit of the EDF, but, instead, there would be annual compensation in return for the fishing quotas allocated to the Community in its waters. The EEC signed a fisheries protocol with the Danish Government and the local Greenland Government on 13 March 1987, whereby the Community was to give Greenland ECU 26.5 million per annum, payable at the start of the fishing season, as financial compensation. It ran from 1 January 1985 to 31 December 1989 and was renegotiated for the period 1 January 1990 to 31 December 1994, when the compensation was brought up to ECU 34.25 million per annum.

II. WHAT ARE THE OCT AND WHAT ARE THEY LIKE?

There are at least 20 OCT associated to the Community and they are in very different parts of the world.

- There are **11 British overseas countries and territories**. Five of them are in the Caribbean; three of those five (Anguilla, Montserrat and the British Virgin Islands) are in the Lesser Antilles and two (Cayman Islands and the Turks and Caicos Islands) are up nearer Florida and Cuba. There are several in the southern Atlantic, some (the Falkland and Sandwich Islands) near South America on the same latitude as Tierra del Fuego and others (St Helena) near Africa on the same latitude as Angola, while Pitcairn is on its own in the Pacific.
- There are **six French territoires d'outre-mer et collectivités territoriales**, most of them (French Polynesia, New Caledonia and its dependencies and Wallis and Futuna) in the Pacific, with the exception of the French Southern and Antarctic Lands, situated in the Indian Ocean (Crozet and Kerguelen Islands) or on the Antarctic continent. The *collectivités territoriales* are one island in the Indian Ocean (Mayotte) and two islands off Newfoundland (St Pierre and Miquelon).
- There are **two Netherlands overseas countries**, Aruba and the Netherlands Antilles, both of which are in the Caribbean Sea.
- Lastly, the vast territory of **Greenland**, which is bigger than the whole of the Community, lies between the Labrador Sea and the Arctic Ocean and comes under Denmark.

Only three of these OCT (the Netherlands Antilles, French Polynesia and New Caledonia) have more than 150 000 inhabitants. Most of them have very small populations, often below the 10 000-mark, as in Anguilla, St Helena and the Falklands on the British side and St Pierre and Miquelon on the French side.

Distance and size of course have a seriously detrimental effect on their economies. Any investment drive is handicapped by the cost of transport and the narrowness of local markets. Production costs are relatively higher than in the Community, one of the reasons being that the costs of investment and amortisation are spread over a very small number of tax-payers.

There is a considerable variation in **per capita GNP**. Five OCT stand out as being better developed - Greenland (\$ 10 666 per capita), French Polynesia (\$ 7780), the Netherlands Antilles (\$ 6380), Aruba (\$ 6060) and New Caledonia (\$ 5630). The figures for the rest vary between \$ 700 and \$ 3500.

Trade balances systematically run what are often large deficits. OCT trade has a lot to do with the Community and, despite the opening up of the Community market under the successive association Decisions, trade with the Member States on which they depend has diversified little. Exclusive relations have not yet given way to trade flows between the OCT and the other Member States.

III. STATUS OF THE OCT IN RELATION TO THEIR MEMBER STATES

1. British OCT

People in the British OCT have British Dependent Territory Citizenship and not full British Citizenship. The exception to the rule is the population of the Falklands, which, like Gibraltar, is the only dependent territory whose nationals can claim the rights and obligations of British citizens.

The United Kingdom has defined what it means by "nationals" in relation to Community law on two occasions - first of all when the United Kingdom joined the EEC and then when the British Nationality Act was passed in 1981. Accordingly, Community law applies to:

- British citizens;
- British subjects with the right of abode in the United Kingdom;
- citizens of the British Dependent Territories (Gibraltar and, with the Falkland Islands Act of 1983, the Falklands).

2. French OCT

Nationals of French OCT have full French citizenship. They can vote and stand for the National Assembly and the Senate, as for the European Parliament (in which they are unique amongst the OCT). They also carry European passports, just like metropolitan French citizens.

When it comes to the application of national law, there is a distinction to be made between the overseas territories (OT) and the two *collectivités territoriales* (Mayotte and St Pierre and Miquelon). The law of the Republic specifies which powers are delegated to the various types of French OCT.

The OT have legal autonomy, so they can pass their own implementing measures for Community acts concerning the OCT (e.g. the various territorial parliaments' discussions of the EDF indicative programme).

National law applies directly in the *collectivités territoriales*. Since the general provisions of the Treaty and the law derived from it (other than for acts under Articles 131 to 136) do not apply in the OCT, it is up to the Member State to exclude the two *collectivités territoriales* from application of any Community provisions directly applicable in the Member States.

3. Netherlands OCT

The Charter of the Kingdom of the Netherlands of 22 October 1954 set up a tripartite kingdom in which the sovereign of the Netherlands is the Head of State, i.e. a new constitutional order whereby the Netherlands, the Netherlands Antilles and Suriname (which has since beco-

me independent) handle their internal affairs autonomously and affairs of common interest on a basis of equality.

This fundamental text regulates relations between the Netherlands and the Netherlands Antilles (Aruba was included until 1 January 1986). The amendment to the Charter of 22 July 1985 granted Aruba *status aparte* as from 1 January 1986, thereby putting it on an equal footing with the Netherlands Antilles in relation to the Netherlands.

Each overseas country has its own constitution and internal autonomy, with its own parliament and government.

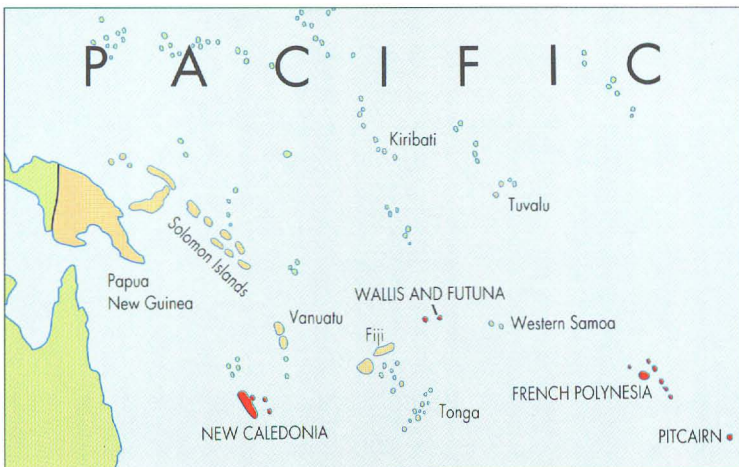
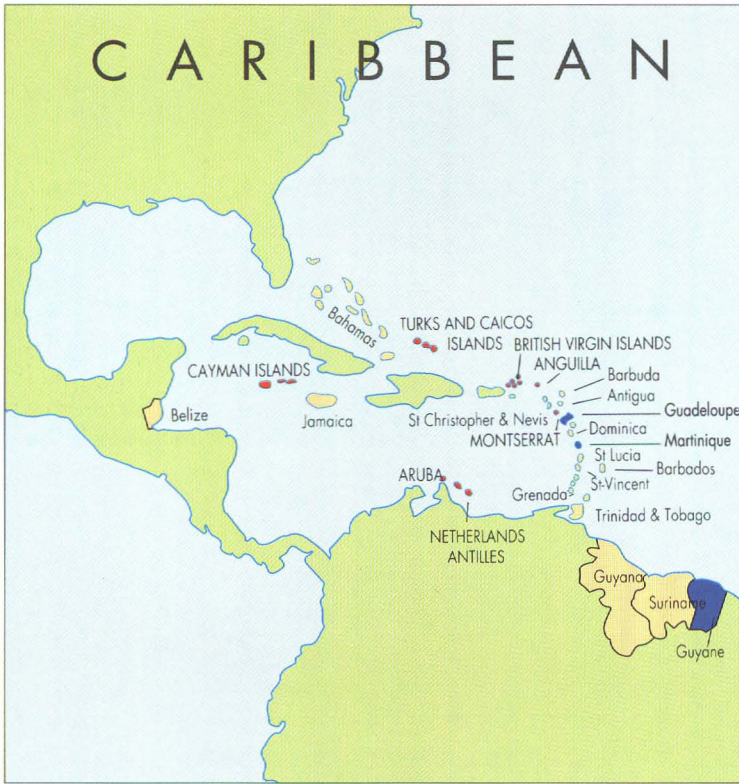
The Charter is based on two essentials:

- association in all the affairs of State of the overseas territories, called "countries" to distinguish them from the "kingdom", which is the metropolitan territory (although "kingdom" is used in the Charter for common affairs);
- internal autonomy for internal affairs.

It provides for reciprocal representation of the Netherlands and the overseas countries on the various administrative and political bodies - which is extremely important.

The member "countries" of the Crown, the Netherlands Antilles and Aruba, are associated with the running of the Kingdom's affairs, which are managed "in cooperation". The plenipotentiaries of the associated countries sit on the Council of Ministers of the Kingdom and take part in Council discussions of common affairs with any bearing on their country. Not only is the overseas country represented in The Hague, but the sovereign of the Netherlands is represented in the country by the governor, who wields the executive power jointly with the country's Council of Ministers, with the assistance of a consultative council.

When it comes to constitutional and legislative organisation, Article 41 of the Charter lays down the principle that each component of the Kingdom is autonomous in the running of its internal affairs. However, there are one or two restrictions as regards affairs of the Kingdom which are deemed to be of common interest.



Common affairs include all the traditional international legal prerogatives of the State (maintenance of independence and defence of the territory, external relations, matters relating to Dutch nationality, the flag of the Netherlands, the condition of foreigners, expulsion, extradition and so on). These matters are handled in "association" by the Netherlands and the overseas countries, since the Kingdom alone may act as a body under international law, no overseas "country" being sovereign as far as international law is concerned.

This is not an exhaustive list and can be added to by mutual consent of the various parties. So, any subject not explicitly stated to be a common affair is deemed to be an internal affair.

4. Greenland

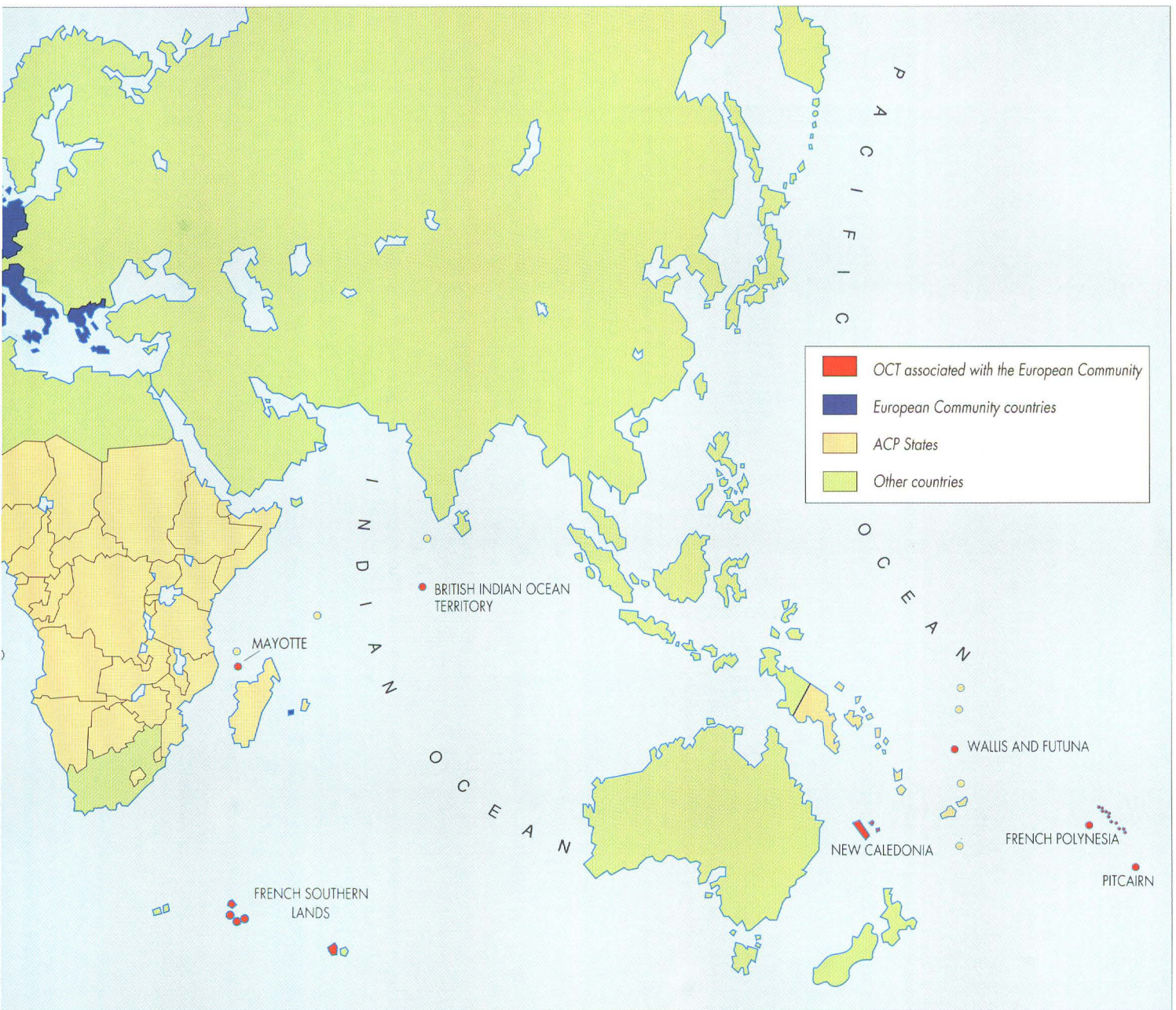
When the Danish constitution was revised in 1953, Greenland went from being a Danish colony to an integral part of Denmark.

When Denmark joined the EEC in 1973 (Act of Accession of 22 January 1972), Greenland, unlike the Faroes which got home rule in 1948, became part of the EEC in exactly the same way as metropolitan Denmark. But there was a great deal of controversy over Greenland's membership of the Community and 70% of Greenlanders voted against entry in the Danish accession referendum of 1972.

On 1 May 1979, Greenland became a "separate community within the Kingdom of Denmark" - along the lines of the home rule introduced for the Faroes in 1948 - and this status was confirmed by referendum in February 1982.

In view of this, and following a Danish Government request to the other Member States, the Council altered the arrangements for Greenland in the Treaty setting up the European Communities on 13 March 1984 (OJ L29 of 1 February 1985), which now provides for:

- Part Four of the EEC Treaty (OCT) to apply to Greenland;



- the territory to be added to the OCT listed in Annex IV of Council Decision 80/1186/EEC of 16 December 1980 on the Association of the OCT to the EEC (the latest association Decision in effect at that stage).

As soon as the Council's next association Decision (86/283/EEC of 30 June 1986, OJ L175 of 1 July 1986) came out, Greenland was included again, but it was specifically not included in the countries and territories which had the benefit of financial and technical cooperation (Article 125). In point of fact, the fisheries agreement signed by the EC, the Government of Denmark and the local Greenland Government on 29 January 1985 which did not take effect until the time of the changes to the Treaty (EEC Council Regulation 223/85, OJ L29 of 1 February 1985) covers the financial aspects of EEC-Greenland relations.

Home rule - under which Greenland returned two members to the Danish Parliament - is based on maintaining the unity of the Kingdom of Denmark, with the specification that the

constitutional status of the Home Rule Authority is covered by Danish law under which the national parliament delegates part of its authority to Greenland.

So local problems are handled by the Greenland authorities and more general matters by the representatives of the Kingdom or the central Danish authorities.

- Environmental protection was switched to home rule on 1 January 1989, but matters of justice, citizenship, international relations, defence, finance and private law may not be switched.
- The exploitation of mineral resources is the common property of Denmark and Greenland.
- International relations are handled by the Danish authorities after consulting Greenland on matters relating to it.

IV. THE OCT AND THE ACP STATES FROM THE EC'S POINT OF VIEW

How do the OCT and the ACP States differ from the Community's point of view?

The basic difference lies in the special status of the OCT. Like the ACP States, they are not part of the territory of the Community, of course, but they are constitutionally tied to four of the Member States and are not independent States.

So when OCT nationals with the nationality of a Member State are on Community territory, they may claim the advantages deriving from secondary legislation, just like the other citizens of the Community.

However, there is some similarity between the Association of the OCT to the EEC (which is based on successive Council Decisions) and the Conventions of Yaoundé and then Lomé concluded following ACP-EEC negotiations. The new Decision on the Association of the OCT to the EEC indeed reflects the structure of Lomé IV, although of course in the form of an autonomous Council Decision, in accordance with Article 136 of the Treaty. Although many points in the latest Decision are in the spirit of Lomé IV (the various areas of cooperation, for example, Stabex and Sysmin, the EDF for the financing of development cooperation, regional cooperation etc), there are many innovations in the OCT text.

Commercially speaking, given the special Community-OCT relations, which are based on the provisions of the Treaty of Rome (especially Part Four), the trade arrangements for products originating in the OCT are more open than those for products originating in the ACP countries. New to the trade arrangements are:

- the abolition, without quantitative restrictions (other than for rum), of customs duties and other CAP-related charges previously applied to the OCT or still applying to the ACP states (parallel ACP-OCT treatment dropped);
- changes to the rules of origin introduced in Lomé IV;
- specific changes to the OCT rules of origin;
- the introduction of a system of transshipment.

V. THE OCT AND THE OD FROM THE EC'S POINT OF VIEW

How do the OCT and OD differ in Community law?

There is a vital distinction to make between the two.

The four OD (Guadeloupe, Guyane, Martinique and Reunion) are an integral part of the European Community. They are French departments and regions of France in just the same way as Brittany and Aquitaine.

Of course, people from the French OCT have French nationality in the same way as people from the OD. The big difference is that the OCT are not part of the territory of the Community and the four OD are.

In contrast with the OCT, the OD get the full benefit of all the common policies - the common agricultural policy, the transport policy, the energy policy, the trade policy, the regional policies and so on. Two examples serve to illustrate the basic difference.

- When it comes to the internal market, the four major aims of the Single Act - free movement of individuals, goods, services and capital - apply to the OD. The Common External Tariff applies to goods imported to the OD from outside the Community, just as it does to goods imported into Le Havre, Hamburg and Genoa.

However, the Common External Tariff does not apply on entry to the OCT and the authorities of each OCT are free to lay down their own customs legislation.

- The manifestation of Community solidarity with the development of the OD and OCT is reflected in various ways. The OCT get the benefit of the EDF, just like the ACP States, and the OD have the structural funds (the ERDF, the EAGGF and the European Social Fund), just like the other regions of the Community. It is true that

from 1958 to 1977, the OD also had the benefit of the EDF, but they have since been included in the Community's internal policies and so now qualify for the "internal" structural funds.

Legally speaking, OD treatment is covered by Article 227 (1 & 2) of the Treaty of Rome. After much discussion by both national and local authorities, the Commission and the European Parliament, the Council set up a programme of specific options related to the distance and insularity of the French overseas departments (POSEIDOM - Decision 89/687/EEC of 22 December 1989). The idea was to take account of the specific features and constraints of the OD (insularity, great distance, small size, difficult terrain and climate, lack of economies of scale, narrow local markets, economic dependence on one or two products and their dual character as Community regions and territories in a developing country environment) when applying Community policies, so as to give them as much help as possible to catch up both economically and socially.

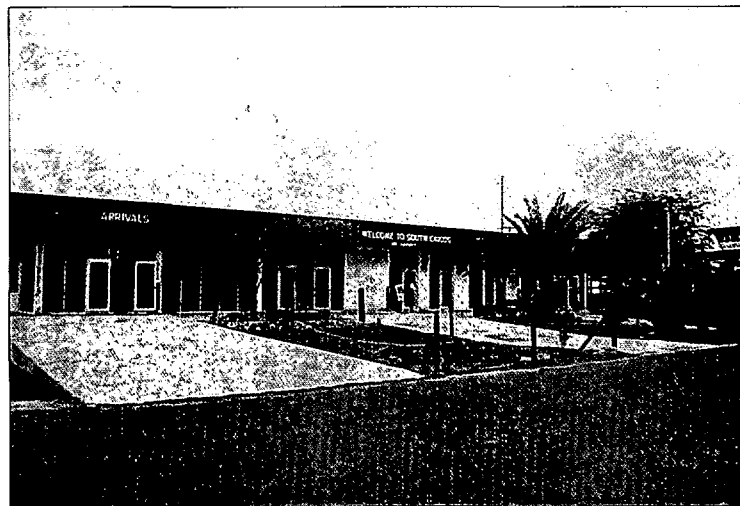
POSEIDOM, a symbol of the Community's solidarity with its more distant regions and vital to better integration of the OD in the internal market, was designed as a frame of reference in which the Community was to implement measures to help develop these regions.

It is an outline programme and, bearing in mind the permanent constraints typical of the OD, its implementation is going on beyond 31 December 1992. The common declaration on the outermost regions of the Community, annexed to Maastricht, confirms the POSEIDOM approach and ensures that Community policies will always take the specific features of the OD into account.

With the POSEIDOM decision, the Community recognised that changes in common policies could apply in the OD, because of the specific features mentioned above. It is a completely new approach in the preparation of secondary Community legislation.

However, the OCT are associated to the Community under Articles 131-136 of the Treaty of Rome. Secondary Community law does not apply directly to them and the Council has to pass specific rules for them, in the light of Article 136.

Things have changed since 1991. The Council decided on the next stage of association when adopting Decision 91/482/EEC on 25 July 1991 and there have since been various innovations to the OCT association. These are described in the following chapters.



Turks and Caicos Islands : South Caicos airport terminal was built with 4th EDF funds. (Photo CEC/J.C. Heyraud)



Cayman Islands : Community College, built with funds from the 6th EDF. (Photo CEC/J.C. Heyraud)



Mayotte : medium-tension rural electrification project in the village of Vahibe, financed from the 6th EDF. (Photo CEC Delegation, Mauritius)

3 THE CURRENT DECISION ON THE ASSOCIATION OF THE OCT WITH THE EEC

The Decision of 25 July 1991, concluded, like Lomé, for a period of 10 years, contains a number of ideas inspired by the traditional parallelism with the ACP States.

The following Lomé IV innovations apply to the OCT:

- term increased from five to 10 years (other than for financial provisions, which run for five), to expire on 29 February of the year 2000;
- better financing conditions (grants for all projects);
- decentralised cooperation for local communities;
- accent on respect for the environment, women's status, the promotion of businesses and services and improvements to Stabex and Sysmin arrangements;
- insistence on regional cooperation between ACP States and OCT in the same parts of the world.

Various **innovations** in the Decision make it far more favourable to the OCT than in the past. Many of them, important ones, apply specifically to the OCT. They are based on the special statutory situation of these territories, in accordance with Part Four of the Treaty of Rome (Articles 131-136).

I. A PARTNERSHIP OF ASSOCIATES

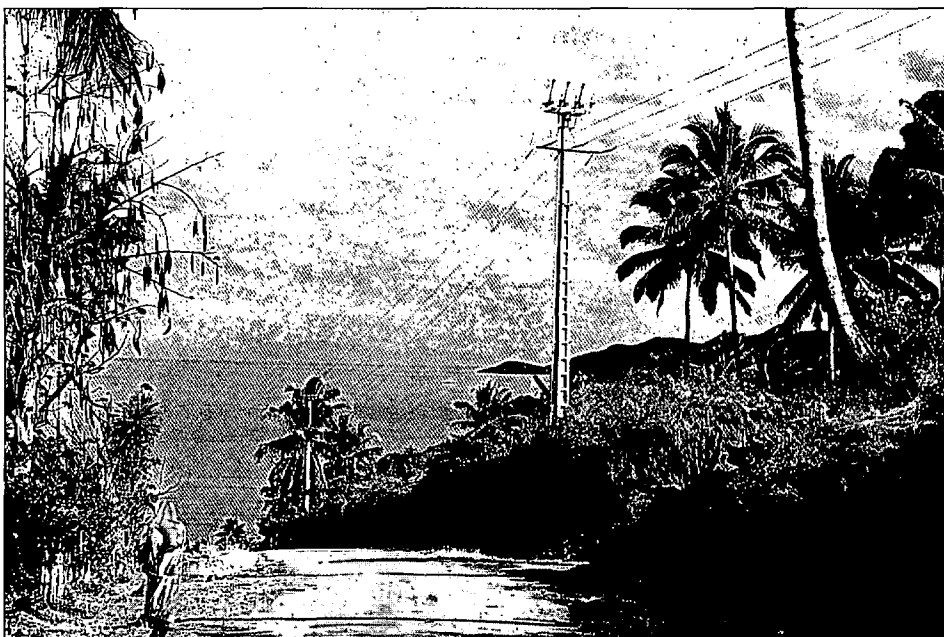
For the first time, the Association Decision laid down the principle of a three-way (Commission-Member State-territorial authorities) dialogue called a partnership.

In proposing this, the Commission was filling the obvious democratic dialogue gap in the six Association Decisions taken since 1957. It gave the local representatives the chance to say what they felt and was **a political vote for democracy and dialogue** of a sort which would satisfy the authorities of the overseas territories.

The OCT were now involved in a dialogue hitherto denied them. ACP-EEC relations had always had a number of joint bodies and the regions of the Community, OD included, had been involved in the management of Community resources, alongside the Commission and the States, since the reform of the structural funds in 1989. So local representatives in the OCT association were the only ones not to have the opportunity to express themselves. **This situation has now been rectified.**

Partnership can, Article 235 of the Decision makes clear, cover **any problems** which arise in the course of relations between the OCT and the Community. So this is a **very open** dialogue.

For the **very first time**, in 1992, EDF indicative programmes for each territory were **signed locally**, by the **elected representatives of those territories**, the representative of the relevant **Member States** and a representative of **the Commission**.



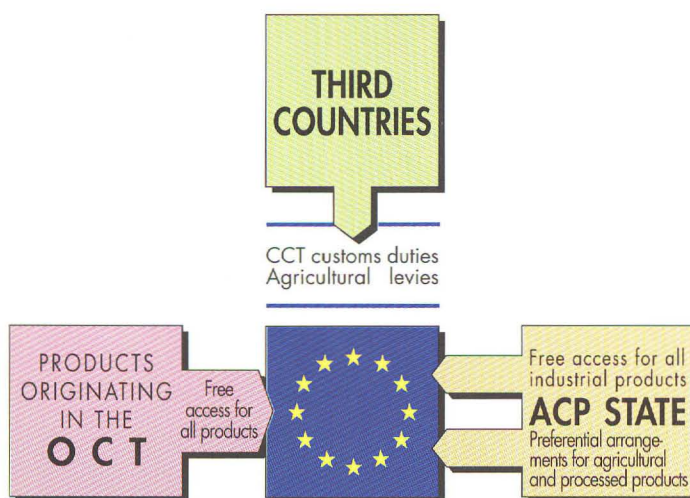
Mayotte : 6th EDF rural electrification project - M'izamboro extension.
(Photo CEC Delegation, Mauritius)

II. PARTICULARLY FAVOURABLE TRADE ARRANGEMENTS

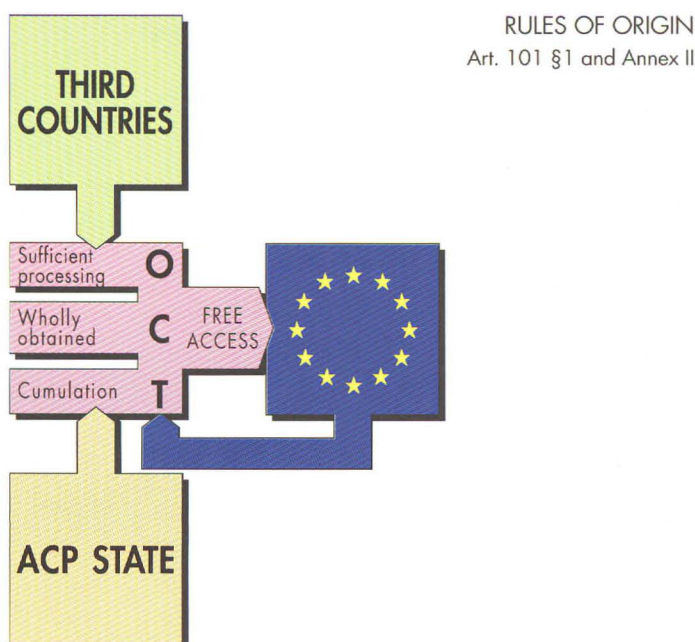
The **trade arrangements** in the present Decision contain a number of innovations in relation both to the past and to other associations and conventions. There too, the Council decided on them, after lengthy discussion, in the light of the constitutional status of the OCT (in which they are different from third countries).

Trade cooperation is, inter alia, **one of the tools of OCT economic and social development**. The whole point of the Council's trade arrangements, which take account of the respective levels of development of the Community and the OCT, is to promote employment, industry and business in the OCT by opening the vast market of **Europe's 345 million consumers** to the products which they grow, manufacture and process.

1. OCT-EEC TRADE RELATIONS



2. OCT-EEC TRADE RELATIONS



The Community does not require reciprocity. The Association Decision enables the competent authorities of each OCT to maintain or establish such customs duties or quantitative restrictions as they feel are required on products originating in the Community.

The point of these trade arrangements is to ensure healthy regional cooperation by facilitating trade between the OCT and the ACP States and between the OCT themselves - as is apparent from the rules of origin, which now contain the so-called cumulation clause.

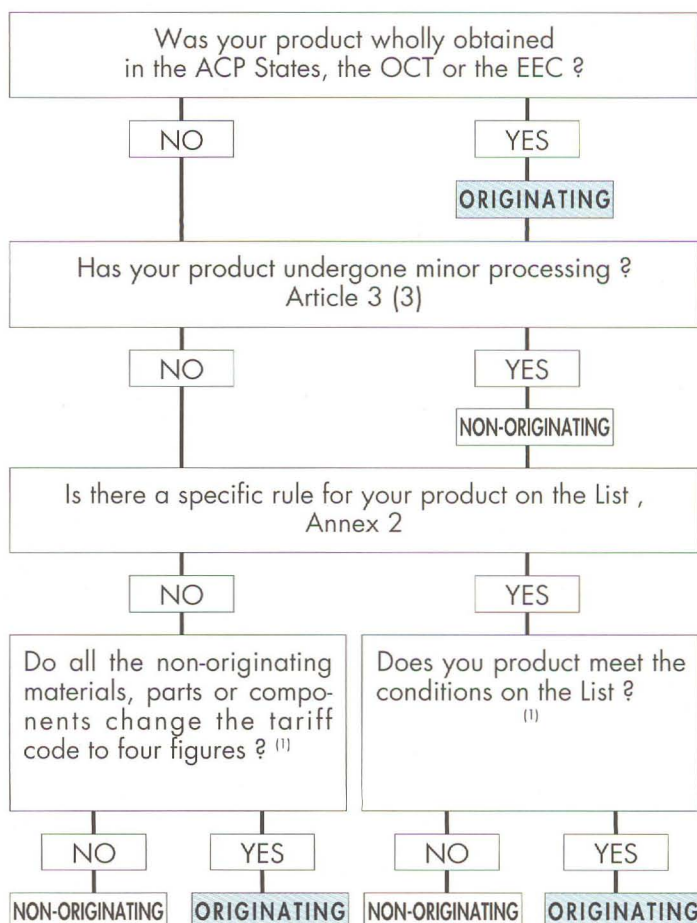
A. The trade arrangements for products originating in the OCT involve **completely free access to the Community market**.

This is not the case for, say, products originating in the ACP States. ACP industrial goods enter the Community free of customs duties or taxes of equivalent effect, but there is only a preference for agricultural products.

The Association of the OCT is therefore the Community's only association agreement to go so far (see Figure 1).

3. OCT DECISION ORIGINATING PRODUCT TREE

Determine product status in no more than four questions.



(1) Possibly with the 10% tolerance of Article 5.

B. These arrangements are for products originating in the OCT. What does that mean?

The rules of origin annexed to the Association Decision may seem complex, but their *raison d'être*, basically, is to encourage local development, industrialisation and employment. Under them, a product is originating (see Figures 2 and 3) if :

- it has been **wholly obtained** in the OCT (e.g. copra oil);
- the raw material has been imported from a third country and undergone **sufficient processing** in the OCT (e.g. imported planks made into furniture);
- it has been imported from the Community, **another OCT or an ACP State**, where first-stage processing took place, and then undergone further processing in the OCT. The extra processing entitles it to be considered as originating in the OCT (cumulation).

The idea of these rules is of course to avoid giving free access to the Community to anything but products which have really been produced or processed locally and thereby generated employment. If they were less specific, there would be a danger of third countries sending their products through OCT and getting the benefit of free entry. And the OCT themselves would be prey to undue competition from these third countries not in the association.

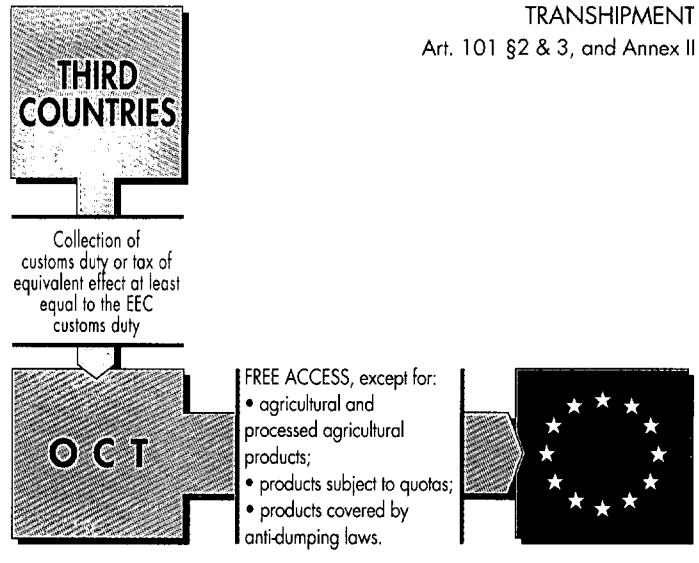
C. One-off and temporary **derogations** may be made from the rules of origin.

There is of course no question of rendering the origin rules pointless. The idea is to allow an OCT a period of free access to the Community for goods which have undergone processing not normally sufficient to qualify for the status of originating product, while it invests more heavily in facilities which will enable it actually to manufacture originating products.

4. OCT-EEC TRADE RELATIONS

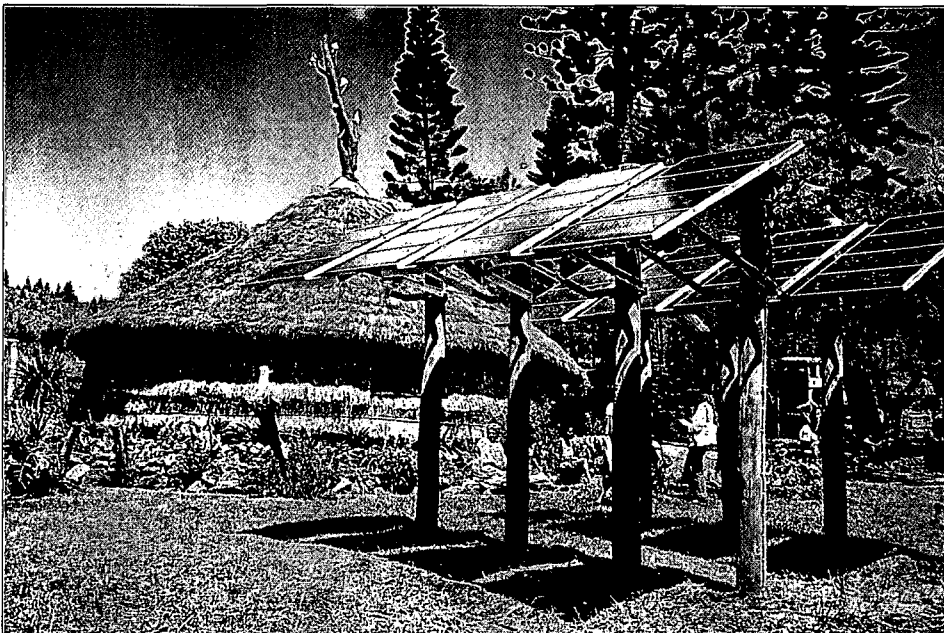
TRANSHIPMENT

Art. 101 §2 & 3, and Annex II



For example, in March 1992, the Commission gave the Netherlands Antilles three years' free access for jumpers exported from Curaçao after nothing more than assembly of material cut out in the Far East. This processing was not sufficient to make them originating products, but the Community authorisation enabled the investor concerned to keep going in the early stages, in the sure knowledge that a Community market would be there when the weaving or knitting was also done in Curaçao.

D. The system of transshipment was also brought in. This gives free access even to third country products (other than for goods covered by the CAP and one or two other products) which transit through an OCT without any processing, provided the customs duties or taxes at least equivalent to the Community protection are paid on entry to the OCT. There is a new certificate to accompany goods in this category (see Figure 4).



New Caledonia : Solar energy is used to bring electricity to traditional villages in the Northern province - part of a 5th EDF regional project for the French Pacific OCTs.
(Photo CEC office, New Caledonia)

III. INDUSTRIAL DEVELOPMENT

The OCT can use the services of the Centre for the Development of Industry (described in Lomé IV), as they did before, and the Euro-Information Centres recently set up under the Community's business policy, which is new.

Here again, this dual possibility puts the OCT mid-way between the ACP States and the regions of the Community.

The Centre for the Development of Industry (CDI) was designed for the ACP States and is financed with the EDF resources earmarked for them. The OCT can use it, but, if they do, they have to finance its services from the EDF resources earmarked for their indicative programmes, which is perfectly reasonable.

The EC budget-financed Euro-Info Centres, which are also a useful means of business information and contact, are spread all over the Community. OCT wishing to have such Centres have to pay for their establishment and operating costs from the EDF resources allocated for their own indicative programmes - which is also perfectly reasonable.

IV. RIGHT OF ESTABLISHMENT AND FREEDOM OF MOVEMENT

The special statutory situation of the OCT is such that, *inter alia*, nationals of most of them have exactly the same nationality as the nationals of the Member States.

The latest Decision is much clearer about the rights of individuals and the application of secondary Community legislation to them.

A. On the **free movement of workers**, Article 135 of the Treaty says: "Subject to the provisions relating to public health, public security or public policy, freedom of movement within Member States for workers from the countries and territories, and within the countries and territories for workers from Member States, shall be governed by agreements to be concluded subsequently with the unanimous approval of Member States." There have been no such agreements so far.

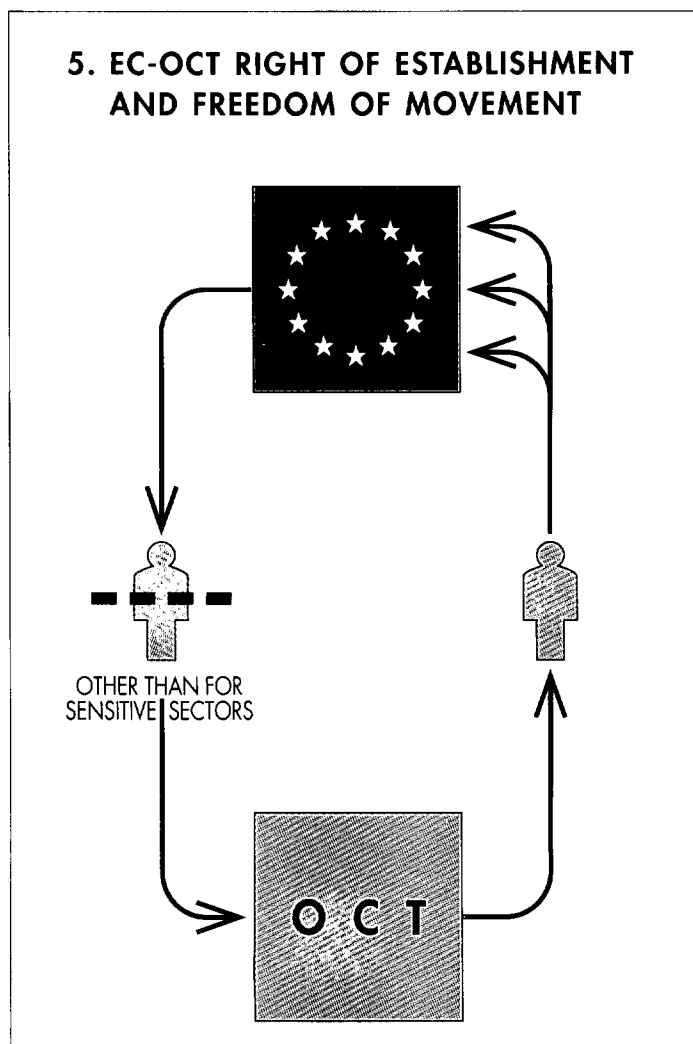
Furthermore, Articles 48 and 49 of the Treaty, and the provisions made in application of them, only apply to **nationals of the Member States on the territory of the Community**. So they also apply to OCT workers who have the nationality of a Member State.

French Polynesia, for example, unlike an OD, is not part of the territory of the Community, but is associated to it, so the rules on the free movement of workers in the Community do not apply to Community workers going there. However, Polynesians have French nationality, so when they arrive at Roissy, they are entitled to the four fundamental freedoms laid down in the Single Act, just like any citizen of the metropolis, and they can move freely into Belgium, Italy and so on (see Figure 5).

The principle behind the Association of the OCT to the EEC is therefore that the balance is tipped in favour of the OCT.

B. With a view to promoting or sustaining local employment, it is now possible for the OCT local authorities, with the Commission's agreement, to take **protective measures** in relation to **establishment and services** in sensitive sectors of their economy.

If, say, the Polynesians had a large number of architects practising and students of architecture planning to practise in Polynesia, the Polynesian authorities could bring out regulations derogating from the rules which usually apply to architects in all the Member States to help Polynesian architects and support local employment.



V. FINANCIAL AND TECHNICAL COOPERATION

The overseas countries and territories enjoy the benefit of Community financial cooperation for development, in accordance with the successive Council Decisions on their association to the Community.

The main aims of this cooperation are to provide adequate financing and appropriate technical assistance to help raise the standard of living and improve the wellbeing of the people of the OCT, as well as develop the OCT's potential for technological innovation, adaptation and change.

Financial cooperation gives the OCT funds in the form of grants, risk capital or EIB loans from own resources to finance development schemes reflecting the priorities laid down by the competent authorities in the OCT.

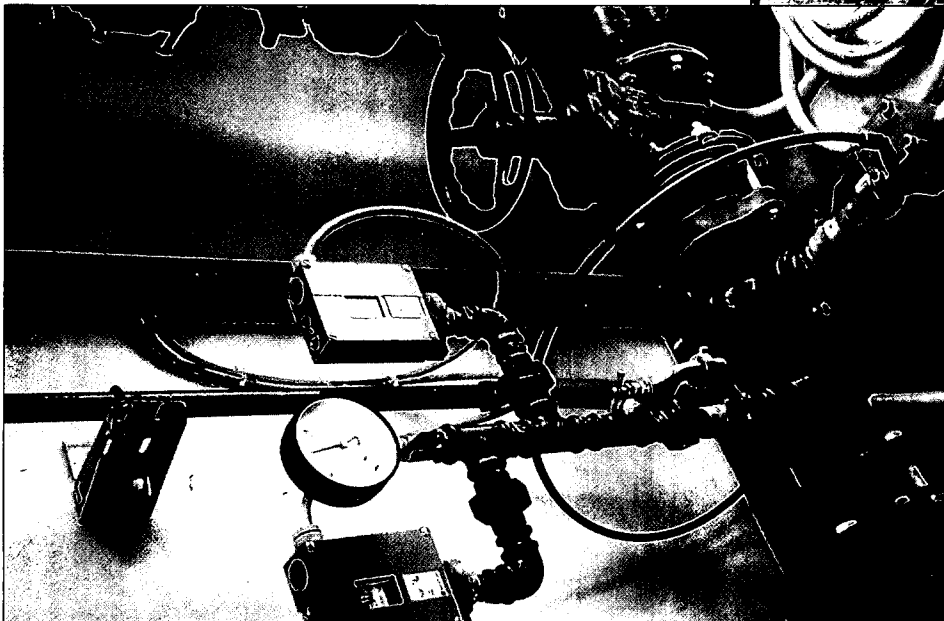
Technical cooperation is also provided for, but foreign staff are only made available to the OCT if the authorities there apply for them. The main aim of technical cooperation is of course to help the OCT develop local human resources to take over from the technical assistance officers.

The point of the Community's policy of assisting countries and territories outside the EC, has been to ensure that the EDF, which is the financial instrument of the Association Decisions, provides support for the schemes of local leaders and other economic operators.

The Association Decision stresses the need to identify focal areas with the twofold aim of providing the best support for what are deemed to be the priority sectors and making Community cooperation more efficient. This extra EDF support for sectoral policies mitigates against the idea of scattering funds and thereby hindering this efficiency.

The thrust of cooperation, as enshrined in the provisions of the Decision on the Association of the OCT to the EEC of 25 July 1991, clearly emphasises the major role which the OCT authorities have to play in choosing and defining their development aims - with due respect for the partnership procedure.

The partnership process has come into its own. In all the OCT which have gone through the successive phases of programming and signing their 7th EDF indicative programmes, the three-way (Commission-Member State-OCT authorities) dialogue has proved to be effective within the framework of the various constitutions.



New Caledonia : drinking water installations, Tiabet, Northern province - one of the projects forming part of a rural development programme financed from the 6th EDF.

(Photo CEC office, New Caledonia)



In 1992, indicative programmes were signed by:

Montserrat	24 February 1992
Anguilla	26 February 1992
British Virgin Islands	28 February 1992
Turks and Caicos Islands	27 May 1992
Mayotte	3 July 1992
New Caledonia	15 July 1992
Wallis and Futuna	17 July 1992
French Polynesia	20 July 1992

In 1993, indicative programmes were also signed (on the spot or by exchange of letters) by:

St Pierre and Miquelon	January 1993
St Helena	March 1993
Netherlands Antilles	May 1993
Aruba	May 1993
French Southern and Antarctic Lands	June 1993.

A look at the four latest Association Decisions shows a constant increase in the total amount of Community aid to the OCT.

Total allocations for the successive indicative programmes are:

4th EDF	(1975-1980)	ECU 150 million
5th EDF	(1980-1985)	ECU 94 million
6th EDF	(1985-1990)	ECU 100 million
7th EDF	(1990-1995)	ECU 140 million.

Independence has gradually brought down the number of OCT over the years, from 27 in 1976 to 20 in 1990.

This led to a decline in the amounts earmarked for the OCT, which dropped from ECU 140 million under the 4th EDF to ECU 94 million under the 5th EDF, but the amounts which the Council fixed for the 6th and 7th EDFs, with the same number of OCT, went up a good deal.



Wallis and Futuna : vehicles and machinery supplied to the Public Works department for a road improvement programme financed from the 6th EDF.
(Photo CEC Delegation, Fiji)



THE TREATY ON EUROPEAN UNION AND THE OCT

The Maastricht Treaty puts the OCT in a stronger position in tomorrow's world.

First of all, let us not forget the twofold key characteristic of EC-OCT relations, namely that:

- the OCT are not part of the **territory** of the Community;
- an OCT national has the **nationality** of the Member State to which the OCT is related ⁽¹⁾.

This leads us to the difference between the economic aspects of the Treaty and the aspects related to individuals.

1. The key legal principle here is clear. Secondary law does not apply to the OCT (although it does to the OD), with the exception of acts passed by the Council in accordance with Part Four of the Treaty (Articles 131-136) - which was not altered by Maastricht.
2. However, the parts referring to individuals cover all the Community citizens (including those in the OCT if they have the full nationality of one of the Member States). These parts relate to:
 - citizenship;
 - human rights.

When it comes to citizenship, the generalised right of abode also applies to OCT nationals who hold an identity card of the Member State to which they are related and, therefore, a European passport. So someone from

New Caledonia arriving in Paris is free to travel and work in the other Member States, as is someone from Curaçao, in the Netherlands Antilles, arriving in Amsterdam.

They are also entitled to petition the European Parliament.

3. Economically speaking, and on a general level, the OCT will have the indirect benefit of the advantages of the internal market, virtually all their economic relations being geared to the EC. So the economic progress achieved through the completion of the internal market and Economic and Monetary Union cannot but have a positive effect, indirectly, on the economy of the OCT.
4. Not only are the arrangements for the OCT not undermined by Maastricht. They are actually consolidated by two documents annexed to the Treaty.
 - The Protocol on France gives France the privilege of issuing currencies in its overseas territories in accordance with its national laws.
 - The Declaration on representation of the interests of the overseas countries and territories reserves the right for each Member State to act separately from the other Member States in international negotiations, in the interests of an overseas country or territory.

(1) There is a nuance here, however, for the British OCT, the Falklands excepted.

STATISTICAL ANNEXES

OCT - 7th EDF Breakdown of programme aid

OCT (Breakdown)	Indicative programmes (ECU million)	Regional cooperation (ECU million)
F (46.8 %)	40.2	5.4
NL (35.2 %)	30.3	4.0
UK (18.0 %)	15.5	2.1
Total (100 %)	86.0	11.5

OCT - 6th EDF Transfer of remainders (emergency and refugee aid)

OCT (Breakdown 1986)	Indicative programmes (ECU million)
F (41 %)	1.4
NL (41 %)	1.4
UK (18 %)	0.615
Total (100 %)	3.41

OCT - 7th EDF & EIB Breakdown by instrument

	(ECU million)
Indicative programmes, including :	
• F OCT	40.2
• NL OCT	30.3
• UK OCT	15.5
Total indicative programmes	86.0
Regional cooperation ⁽¹⁾	11.5
Total projects and programmes	97.5
Interest rebates	6.0
Emergency aid	2.5
Refugee reception	0.5
Total	106.5
Risk capital	25.0
Stabex	6.0
Sysmin	2.5
Total EDF allocation	140.0
EIB loans	25.0
Total OCT	165.0

OCT Allocations 6th and 7th EDF (ECU million)

	5th EDF	6th EDF	7th EDF	7th EDF as % of 6th EDF
Indicative programmes, including :				
• F OCT	20	26.5	40.2	151.7 %
• NL OCT	20	26.5	30.3	114.3 %
• UK OCT	20	10.5	15.5	147.6 %
Total indicative programmes	60	63.5	86.0	135.4 %
Regional cooperation ⁽¹⁾	11	10.0	11.5	115.0 %
Total projects and programmes	71	73.5	97.5	132.7 %
Interest rebates	3.75	2.5	6.0	240.0 %
Emergency aid		3.0	2.5	83.3 %
Refugee reception	3.25	1.0	0.5	50.0 %
Total	78	80.0	106.5	133.1 %
Risk capital	7	15.0	25.0	166.6 %
Stabex		4.0	6.0	150.0 %
Sysmin	9	1.0	2.5	250.0 %
Total EDF allocation	94	100.0	140.0	140.0 %
EIB loans	15	20.0	25.0	125.0 %
Total OCT	109	120.0	165.0	137.5 %

(1) Including regional trade and tourist development programmes.

USEFUL ADDRESSES

Commission of the European Communities Directorate-General for Development

12, rue de Genève - B-1140 Brussels

Directorate for the Caribbean, Pacific and Indian Ocean	Tel. 32.2.299.32.77 Fax. 32.2.299.29.05
• OCT Coordination Unit	Tel. 32.2.299.32.79 Fax. 32.2.299.29.15
• Unit VIII/F/1 - Caribbean	Tel. 32.2.299.32.81 Fax. 32.2.299.29.05
• Unit VIII/F/2 - Pacific	Tel. 32.2.299.32.83 Fax. 32.2.299.98.37
• Unit VIII/F/3 - Indian Ocean	Tel. 32.2.299.32.85 Fax. 32.2.299.29.15
• Unit VIII/F/4 - Multidisciplinary technical group	Tel. 32.2.299.32.87 Fax. 32.2.299.29.15

Delegations of the Commission of the European Communities

NETHERLANDS ANTILLES

Scharlooweg 37
Willemstad (Curaçao)

Tel. (599-9) 61.84.88
Fax. (599-9) 61.84.23

ARUBA (Sub-office of the Netherlands Antilles Delegation)

L.G. Smith Boulevard, 50
Oranjestad

Tel. (599-8) 34.131
Fax. (599-8) 34.575

BARBADOS (for ANGUILLA, MONTSERRAT, BRITISH VIRGIN ISLANDS)

James Fort Bld., Hincks Street
Bridgetown

Tel. (1-809) 427.43.62
Fax. (1-809) 427.86.87

ANTIGUA & BARBUDA (Sub-office of the Barbados Delegation)

2nd floor, Alpha Bldg, Redcliffe Road
P.O. Box 1392, St. John's, Antigua, W.I.

Tel. (1-809) 462.29.70
Fax. (1-809) 462.26.70

JAMAICA (for CAYMAN ISLANDS, TURKS & CAICOS ISLANDS)

8, Oliver Road
Kingston 8

Tel. (1-809) 924.63.33
Fax. (1-809) 924.63.39

BELIZE (Sub-office of the Jamaica Delegation)

Blake Bldg (3rd floor), Corner Huston &
Eyre Streets, Belize City, C.A.

Tel. (501-2) 72.785
Fax. (501-2) 72.785

MAURITIUS (for MAYOTTE)

61/63, route Floréal, "La Mauvraie",
Vacoas

Tel. (230-686) 50.61
Fax. (230-686) 63.18

FIJI (for NEW CALEDONIA, FRENCH POLYNESIA, WALLIS & FUTUNA)

Dominion House, 3rd floor
Suva

Tel. (679) 31.36.33
Fax. (679) 30.03.70

NEW CALEDONIA (Sub-office of the Fiji Delegation)

21, rue Anatole France
Nouméa

Tel. (687) 27.70.02
Fax. (687) 23.282

