



SPANISH AUTHORITIES' CONTRIBUTION TO THE NEW STRATEGY FOR OUTERMOST REGIONS

At a time when the European Commission is preparing to set out the strategy for the outermost regions (ORs), through a Communication renewing and strengthening Europe's commitment to these regions beyond 2020, the Spanish authorities wish to reaffirm their position in this regard, a position to which Spain's Minister of Foreign Affairs and Cooperation already drew attention during the Fourth Forum of the Outermost Regions.

In view of the Court of Justice judgment of 2015, which confirmed the scope and practical effect of Article 349 of the Treaty on the Functioning of the European Union (TFEU), the Spanish authorities have made it their main priority to preserve the key elements of the approach to the ORs built to date, and to advance in less explored areas.

The citizens of these regions need solutions that are tailored to their situation. As the EU progresses in the construction of its internal market, the approach to these regions must be dynamic and imaginative, to ensure that European policies may be applied on equal terms, wherever the people in question may live.

We cannot fail to mention the June 2016 joint Non-Paper from France, Portugal and Spain, which reaffirmed the fundamental role of the European Commission in addressing matters related to the ORs. In the Non-Paper, we noted that the 2015 Court of Justice judgment conferred on the Commission a key role in developing legislative initiatives that allow the ORs to overcome the obstacles identified in



Article 349 by any possible adaptations of provisions to the situation of the ORs, either through general legislation or specific decisions.

Our core objective is to consolidate Article 349 TFEU as a legal and political framework for the ORs, exploring its potential to the fullest.

In keeping with the Council's invitation to the Commission in its Conclusions of June 2011, on the need to systematically evaluate the effects of European Union policies on ORs, the Spanish authorities are advocating impact assessments to determine the adaptations made necessary by the application of EU policies in these regions.

As distant, fragmented territories with extremely vulnerable economies, the ORs face numerous difficulties when implementing European policies. The Commission's Communication offers a magnificent opportunity to draw attention to this need for assessment and to determine what changes may be necessary, from the basis of the legislative system for the European institutions

There are many ways in which the ORs find it difficult to adapt to the internal market, such as the Trans-European Networks, the circular economy or the energy sector. Spanish authorities consider that, in some areas, adaptation would be so complex that the approach should perhaps be more in line with specific instruments, as the Council affirmed in its 2011 Conclusions.



As regards ORs' integration into their geographical surroundings, the Spanish authorities, whilst disappointed by the lack of noticeable progress, believe it is necessary to make good use of the ORs' strategic positions in their respective basins, which are clearly positive factors—not only in terms of regional neighbourhood, but also in terms of the European Union as a whole.

The time has come to turn words into action; now is the time to consider these European regions as veritable opportunities in their respective geographical areas. Their potential and wealth in such areas as biodiversity, renewable energy, and the blue economy expand Europe's spectrum of possibilities and enhance its leading global position in fields that are eminently exportable to other parts of the world.

The maintenance of the measures adopted in different areas has proved to be enormously positive, as it is adapted to the special characteristics of these regions.

Thus, the approach in terms of taxation, customs and state aid has allowed these regions to retain their own economic and tax systems, designed to offset the negative effects of being in the ORs. In terms of state aid, the recent changes made by the European Commission have contextualized their application to these regions. This is a good example of a realistic approach to understanding the ORs, which should serve as an example when designing European policies for the post-2020 period.

Regarding cohesion policy, the provisions adopted within the framework of the Structural and Investment Funds have proved particularly practical. Preferential treatment for employment issues is also appropriate. The social pillar, which has



been integrated into the Outermost Regions Strategy since 2012, also undeniably needs to be developed in way that addresses the challenges faced by these regions.

As another example, without excluding others, agriculture in the ORs—which differs so greatly from continental agriculture—has been safeguarded and has made a significant contribution to improving food self-sufficiency, through POSEI programmes. We must maintain this approach and, at the same time, it should be explored for other policies that are complicated to implement in these regions.

The Spanish authorities stand ready to provide their utmost collaboration with the European Commission in its task of designing a new strategy that meets the challenges and specific needs of the ORs.

Madrid, 12 July 2017