



EUROPEAN COMMISSION  
IMPACT ASSESSMENT BOARD

Brussels,  
D(2012)

## Opinion

**Title**                    **DG DEVCO - Impact Assessment on proposals for a Council Decision on the Association of the Overseas Countries and Territories**

**(Resubmitted draft version of 18 April 2012)**

### **(A) Context**

The Overseas Countries and Territories (OCTs) which have special relations with Denmark, France, the Netherlands and the United Kingdom are associated with the EU under Part Four of the Treaty on the Functioning of the European Union (TFEU). The detailed rules and the procedure for this association have been laid down by the Council of the EU in the Overseas Association Decisions (OADs). The present OAD will expire on 31 December 2013. The revision process of this Decision, conducted within the limits of the TFEU, is underway and may lead to a legislative proposal for a new OAD. The IA aims to provide the evidence base for this revision process.

### **(B) Overall assessment**

**While the report has been improved to some extent along the lines of the Board's first opinion there are a number of important aspects that should be further strengthened. First, the report should distinguish more clearly between the issues to be addressed at the level of the Framework Decision and those to be addressed at a later stage e.g. in programming. It should provide more information on what the current OAD has achieved and where it did not deliver on the intended objectives. Also, given the wide diversity in wealth of the OCTs, a more disaggregated analysis of the problems and the impacts should be given. In terms of the options, the report should consider trade-offs between a more tailored approach for specific OCTs compared to pursuing general EU objectives. It should consider particular issues of relevance to the relationship with the OCTs in more depth such as international financial services. Finally, the integration of different stakeholder views throughout the main text should be further improved.**

### **(C) Main recommendations for improvements**

**(1) Better describe the scope and the substantive nature of the problems.** While the description of the problems and underlying drivers has improved the report should still highlight more clearly the concrete issues to be addressed now, and which this Impact Assessment is intended to support, and issues that will need be tackled in the future, for example under annual programming. Consequently the specific objectives should be expressed in 'smarter' terms, differentiating them more clearly from the general objectives. The wider context should be improved by including some further information on what the OAD has achieved to date in concrete terms, perhaps by using figures and examples. The report should also still provide a more disaggregated analysis of the issues distinguishing between wealthier and more deprived OCTs.

**(2) Better explain the intervention logic and range of options.** The report should develop further the discussion of a possible trade-off between more focused support tailored to the specific needs of individual OCTs versus pursuing a comprehensive list of objectives of EU policies across all OCTs. As noted in the Board's first opinion, the report should discuss in greater detail issues of specific relevance to some OCTs such as international financial services and taxation. The report should still consider a broader range of possible options (or at least better explain why other options have not been considered) and should describe more concretely how they would address the identified problem drivers.

**(3) Strengthen the impact analysis and comparison of options.** Given the diversity in wealth and relevance of issues, the report should assess overall impacts on different OCTs, rather than treating them as one homogeneous group. The impacts in relation to trade are better explained but the report should endeavour to support this analysis with concrete summary data and examples where possible. The options should be systematically compared in terms of effectiveness, efficiency and coherence and consistently reflected in the summary table, which currently gives the impression that options 2 and 3 do not differ in this regard.

**(4) Integrate stakeholders' views and specify future monitoring arrangements.** The report should make a better effort to present the different views of stakeholders on key points. The report should define robust progress indicators (at minimum included in the future programming) and clearly indicate the timing of evaluations linked to future decision-making needs.

*Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.*

### **(D) Procedure and presentation.**

Annex 4 should be presented in the main text. The nature and status of Appendices 1 and 2 should be explained and these should be referenced as appropriate in the main text and their numbering synchronised with the rest of the report.

<b>(E) IAB scrutiny process</b>	
Reference number	2012/DEVCO/002
External expertise used	No
Date of Board Meeting	Written procedure This opinion concerns a resubmitted draft IA report. The first opinion was issued on 17 February 2012.