Introduction to the EU & EU Law of the Overseas Countries & Territories

6 March 2023

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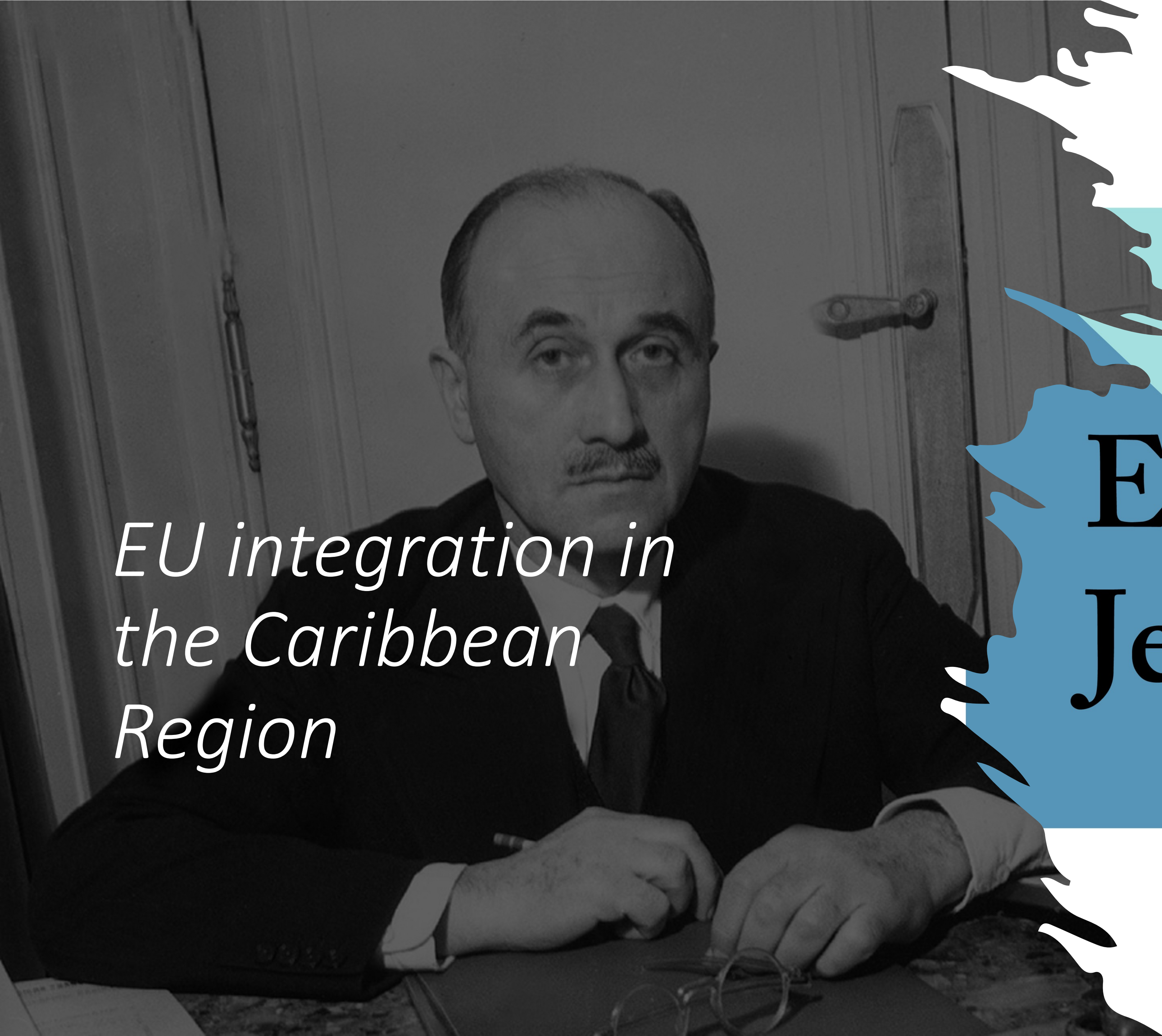

EU integration in the Caribbean Region

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Who are you?

<u>16 participants</u>

- *8 Curaçao*
- *3 Aruba*
- *1 St. Maarten*
- *4 Netherlands*

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Program Monday

- Institutions of the EU
- Multilingualism in the EU
- EU Citizenship in OCTs
- OCT judges and preliminary references
- EU policy, how Europe hits home

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The European Union overseas territories: ORs and OCTs

The EU includes 22 overseas territories linked to five Member States (France, the Netherlands, Denmark, Spain, and Portugal)

9 Outermost Regions (ORs)

13 Overseas Countries and Territories (OCTs)

ORs are territories forming part of a member state of the EU but located at a significant distance from mainland Europe.

OCTs are dependent territories that have a special relationship with one of the member states of the EU.

The European Union overseas territories: OCTs and ORs

ORs and OCTs share characteristics:
Small size and remoteness
Openness to trade
Little economic diversification
Small export base
Scarce domestic natural resources and labor supply
Proneness to natural disasters
Vulnerable to external shocks

ORs and OCTs also differ in some respects:

- The Acquis Communautaire is applicable to ORs, even though some exceptions may apply.
- ORs form part of the EU trade regime while OCTs do not.
- Restrictions on the movement of people from Europe do not apply to ORs.
- Most ORs opt to set the Euro as legal tender.
- ORs are eligible for more financial support and subsidies from several EU funds while OCTs only receive financial support from EU's European Development Fund (EDF).
- A total of EUR 13.8 billion was allocated to the ORs in 2014-2020.
- A total of EUR 364.5 million was allocated to the OCTs in 2014-2020

Overseas Countries & Territories

13 OCTs are associated with the EU

Atlantic, Antarctic, Arctic, Caribbean and Pacific regions

All OCTs are islands, not sovereign, special link EU-member state: Denmark, France, Netherlands


Overseas Countries & Territories Association of the European Union
Artic Ocean
Kalaallit Nunaat
Greenland
Saint Pierre & Miquelon
Atlantic Ocean
Sint Maarten
Saint Barthélemy
Saba
Sint Eustatius
Aruba
Bonaire
Curaçao
Pacific Ocean
Pacific Ocean
Wallis & Futuna
Polynésie française
French Polynesia
Atlantic Ocean
Indian Ocean
Glorioso Islands
Juan de Nova Island
Tromelin Island
Bassas da India & Europa Islands
TAAF
French Southern & Antarctic Lands
Nouvelle-Calédonie
New Caledonia
Saint Paul & Amsterdam Islands
Crozet Islands
Kerguelen Islands
Pacific Ocean
Antartic Ocean
Adélie Land
OCTA

1957 Treaty of Rome

~~EU territory/EU single market~~

Importance to the EU

EU & OCTs

Article 52 TEU --> TFEU: article 355 (2)

Part IV TEU: Association of the OCTs

Territorial & personal scope is extended (case law of ECJ)

EU & OCTs: EU Citizenship

Nationality of a Member State

EU rights

Right of free movement: opposite situation

The OCT-EU Association
The Legal basis

- DOAG 2021-2027
- OAD 2014-2020
- Governance

OCTs ←→ OR

Article 355 TFEU

Saint Barths

Mayotte

9 Outermost regions

What are the assets of the OT & OCTs for the EU?

- Maritime economic zones
- Unique biodiversity
- Outposts of the EU

Challenges of the OT & OCTs

Remoteness

Insularity, small size

Vulnerable to climate change

Economic dependence on a few sectors (tourism)

ORs and OCTs also differ in some respects, eg Financial support

ORs are eligible for more financial support and subsidies from several EU funds while OCTs only receive financial support from EU's European Development Fund (EDF).

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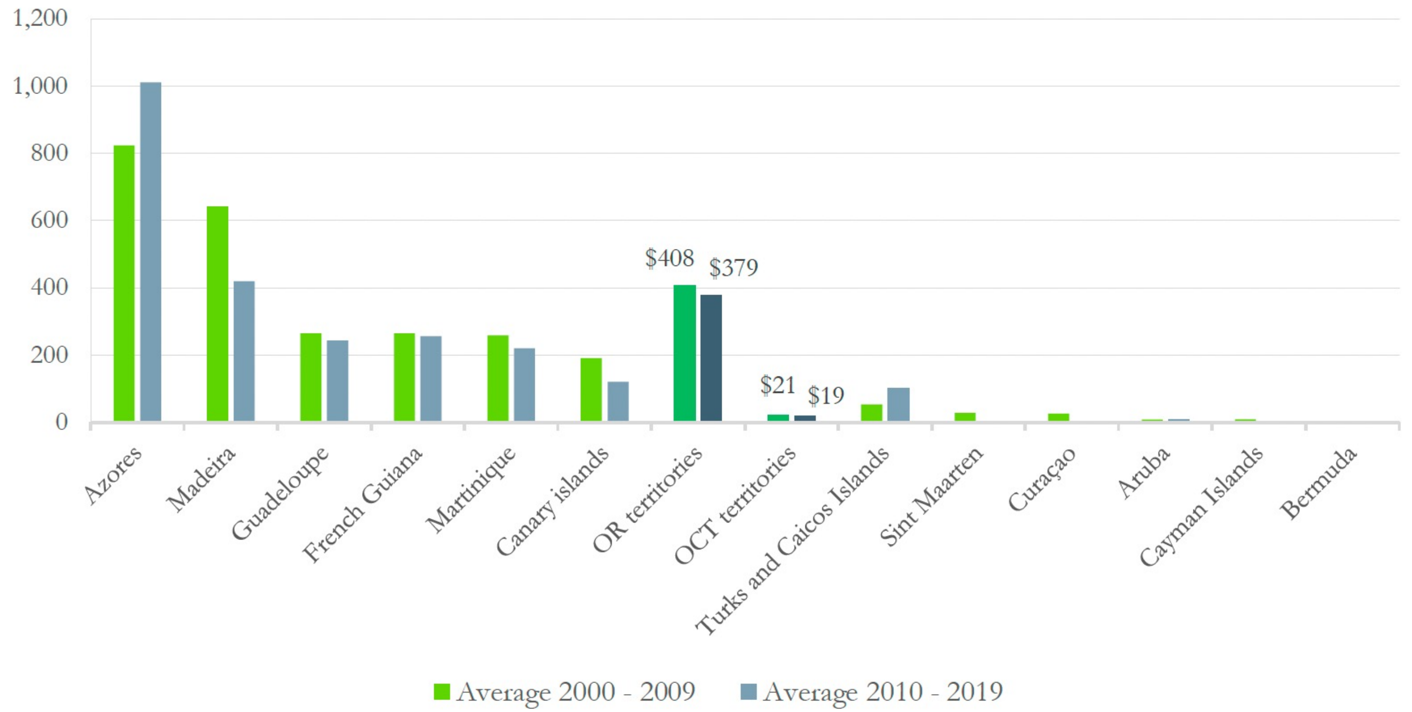
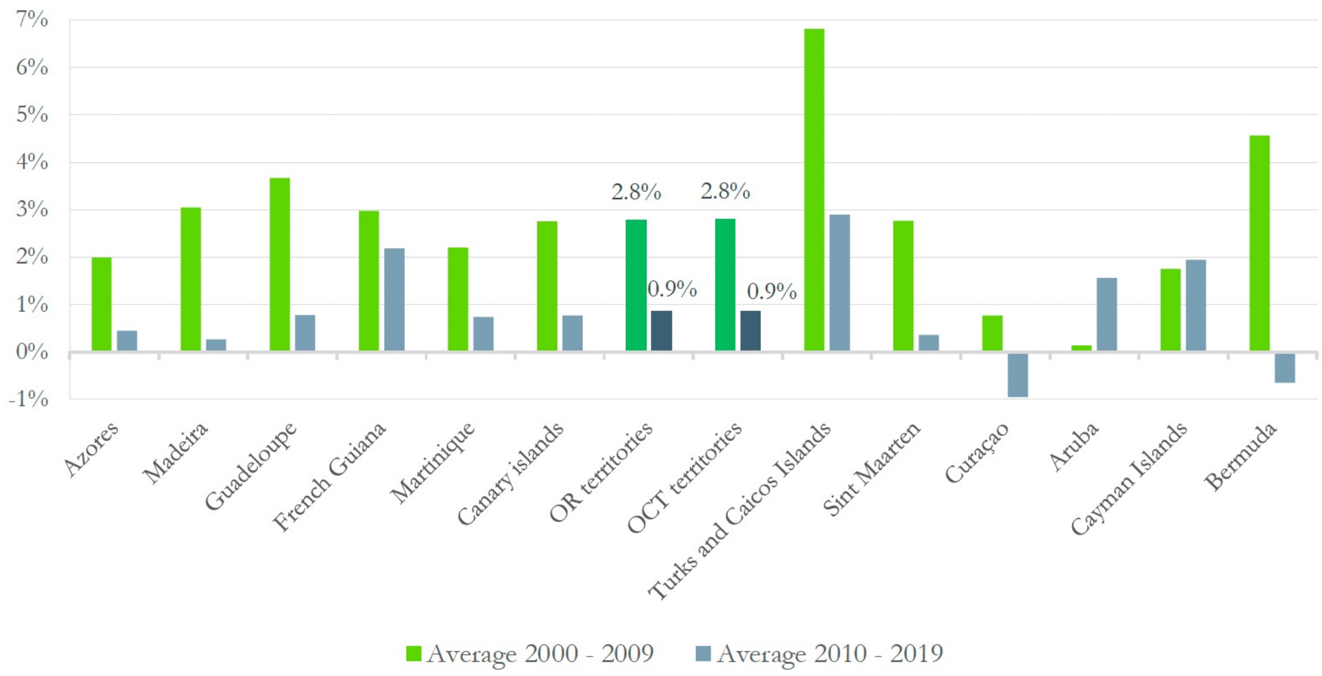
Average EU support per capita per year in US$

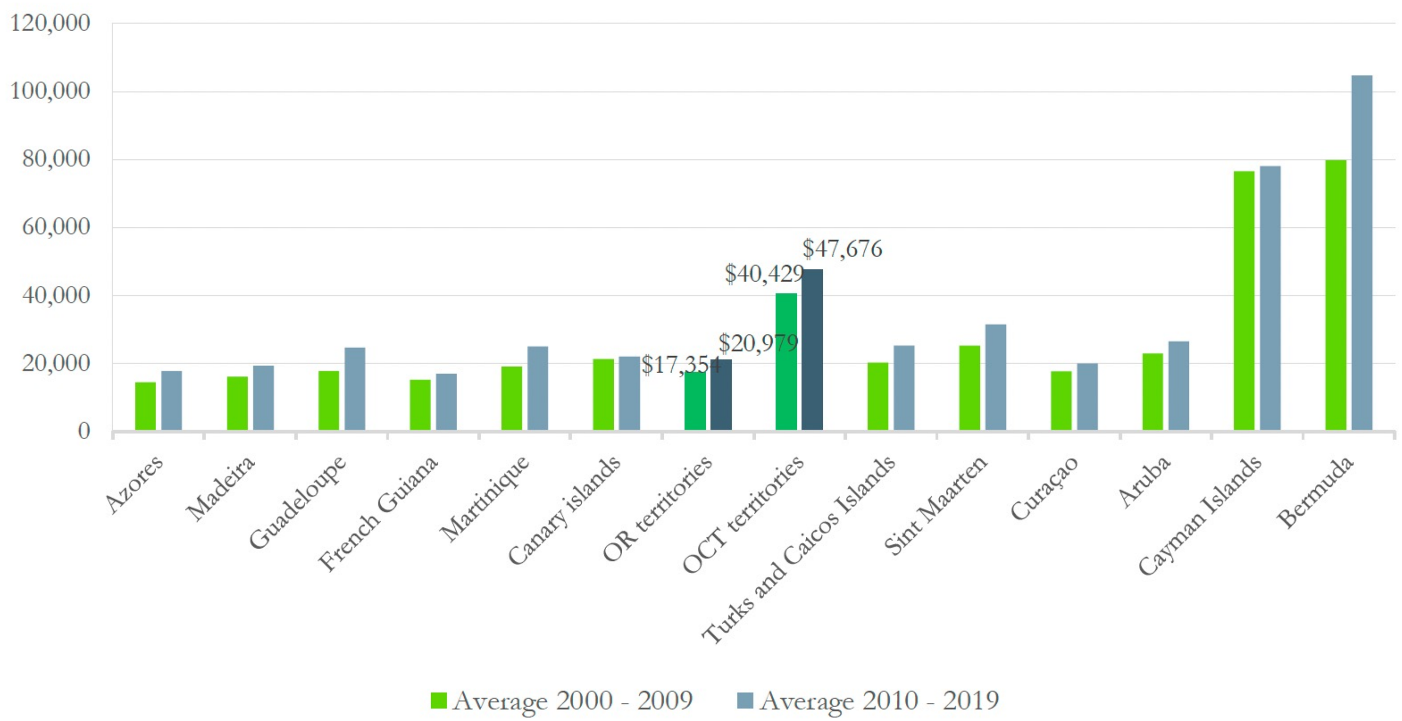


Average real GDP growth in ORs and OCTs



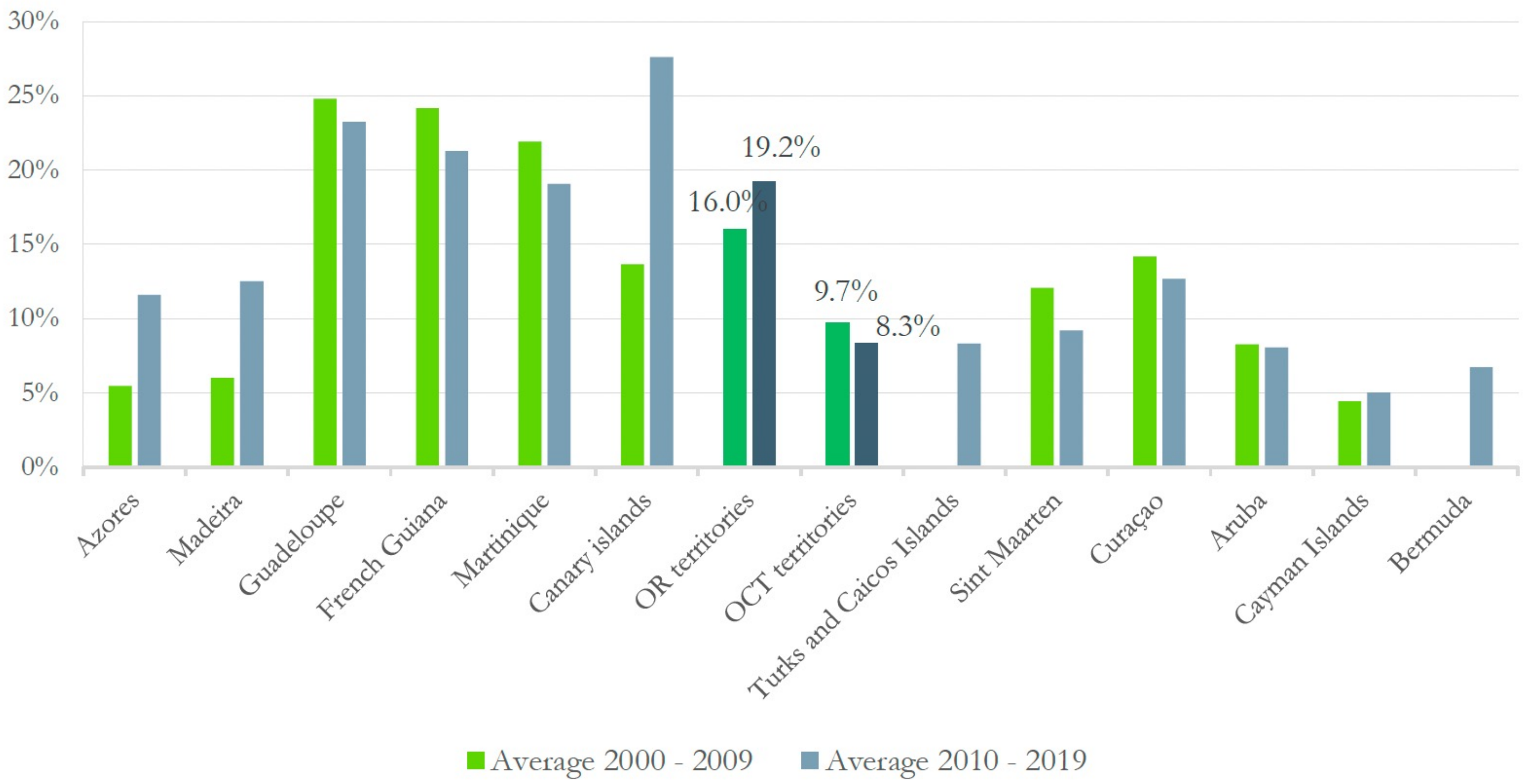
Source: CBCS estimates, WorldBank, Eurostat, and National Statistical Offices of the territories

Average nominal GDP per capita in ORs and OCTs in US$



Source: CBCS estimates, WorldBank, Eurostat, and National Statistical Offices of the territories

Average unemployment rate in ORs and OCTs



Source: CBCS estimates, WorldBank, Eurostat, and National Statistical Offices of the territories

“Will a stronger relationship with the European Union (EU) improve OCTs economic performance and social conditions?”

→ Extensive financial support and subsidies from the EU does not guarantee better economic performance.

→ ORs have structural weaknesses that need to be addressed such as:

- High unemployment rate, particularly among the youth
- Insufficient education and training of the workforce due to early school leaving
- Large size of the public administration sector
- Lack of infrastructure

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