

**CONFERENCE OF THE REPRESENTATIVES  
OF THE GOVERNMENTS  
OF THE MEMBER STATES**

**Brussels, 11 December 1996 (12.12)**

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**LIMITE**

**TRANSLATION OF LETTER**

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from : Mr Francisco Javier ELORZA CAVENGT, Permanent Representative of Spain,  
Mr Pierre de BOISSIEU, Permanent Representative of France, and  
Mr José Grégorio FARIA, Permanent Representative of Portugal

dated: 10 December 1996

to ~~Mr Jürgen TRUMPF, Secretary-General of the Council of the European Union~~

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Subject: The outermost regions

Sir,

Please find attached the joint proposal drawn up by Spain, France and Portugal concerning the revision of the Treaty as regards the outermost regions.

We would appreciate it if you would forward the text to the Presidency and arrange for it to be circulated to delegations to the Intergovernmental Conference.

(Complimentary close).

(s.) Francisco Javier ELORZA CAVENGT

Pierre de BOISSIEU

José Grégorio FARIA

**OUTERMOST REGIONS**  
**POSITION COMMON TO SPAIN, PORTUGAL AND FRANCE**  
**New subparagraph in Article 227(1) (Article 227(2) is repealed)**

"The provisions of the Treaty establishing the European Community and secondary legislation apply to the outermost regions (French Overseas Departments, the Azores, Madeira and the Canary Islands). However, taking account of the structural economic and social backwardness of these regions, compounded by specific phenomena (remoteness, insularity, small size, difficult topography and climate, economic dependence on a few products), the permanence and combination of which severely restrain their development, the Council, acting on a proposal from the Commission, shall determine the conditions for implementing the provisions of the Treaty, and the special conditions for implementing common policies and other specific measures for their benefit. [procedural rule(s) to be defined]

The Community institutions will ensure, in the context of the procedures laid down by this Treaty, that the economic and social development of these regions is made possible."

**PROTOCOL**

The High Contracting Parties:

1. Recall that the second subparagraph of Article 227(1) of the Treaty establishes the legal basis for determining the special conditions for its application in the outermost regions (the French Overseas Departments, the Azores, Madeira and the Canary Islands) and for the adoption of specific measures of secondary legislation.
2. Recognize that these regions suffer from major economic and social as well as structural backwardness compounded by specific handicaps (remoteness, island status, small size, difficult topography and climate, economic dependence on a few products), the permanence and combination of which severely restrain their development, and that these special difficulties justify increased assistance from the Community in the form of specific measures.
3. Undertake to intensify and step up action already undertaken in the context of the Programmes of Specific Options (POSEI).
4. Agree that, in addition to contributions from the Structural Funds and other financial instruments, such assistance must result in the adaptation of common policies to regional circumstances.

5. Agree that the provisions of the second subparagraph of Article 227(1) may in particular apply to the following areas, in that they are decisive for the economic development of these regions:

–customs and trade policies, in particular in relation to free zones;

–fiscal policy aimed at guaranteeing the resources for harmonious and homogeneous development of local production and the promotion of investment in the outermost regions;

–agricultural and fisheries policies, with the aim of supporting production in these sectors and promoting efforts at modernization and diversification in the context of sustainable development;

–the supply of raw materials and essential consumer goods which take into account the remoteness of these regions.

6. Recognize the need to take into account the special features of each of the regions as regards the system of State aid, particularly in order to offset the additional costs arising from the transport of persons and goods and from the promotion of business activity.

7. Declare their willingness to lay down access conditions geared to the particular characteristics of those regions for all horizontal Community programmes, and in particular those relating to the information society, energy, the environment, vocational training, tourism, enterprise policy and support for research and development.

The High Contracting Parties agree to append these provisions to the Treaty.