



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 19 November 2013
(OR. en)**

**15708/13
ADD 2**

**Interinstitutional File:
2012/0195 (CNS)**

**PTOM 44
ACP 173
FIN 698
RELEX 982**

"I/A" ITEM NOTE

From: ACP Working Party
To: Permanent Representatives Committee/Council
No. Cion doc.: 12732/12 - COM(2012) 362 final

Subject: Draft Council Decision on the association of the overseas countries and territories with the European Union ("Overseas Association Decision")
- Adoption of the legislative act (LA + S)
= Statement

**Statement by Denmark, the Netherlands and the United Kingdom to be entered into the
Council minutes**

“Denmark, the Netherlands and the United Kingdom note the proposals made by the Commission for an article concerning the Management of Administrative Errors to be included in the Council Decision on the association of the overseas countries and territories with the European Union.

The Commission had proposed that the Member State with whom an OCT has a special relation, should compensate the Union budget for the loss incurred in case the OCT has committed an error. This proposal was not included in the decision for lack of agreement in the Council. Denmark, the Netherlands and the United Kingdom would like to stress that for the Member State with whom an OCT has a special relationship there is no general legal obligation for the Member State to compensate the Union budget for losses incurred for actions for which the OCT concerned has autonomous powers.”
