

## The review of the Cotonou Partnership Agreement What's at stake?

Every five years, the possibility exists to adapt the Cotonou Agreement - which has a duration of twenty years- to new realities and evolving needs. Negotiations for this first review were officially launched during the ACP-EU Council of Ministers' meeting in Gaborone in May 2004 and are to be concluded in the beginning of 2005. Economic and trade cooperation is not included in this review process, being submitted to its own procedures. Yet there is enough to chew on nonetheless.

A strong political dimension is one of the main characteristics of the Cotonou Agreement. Some of the EU proposals for the review process aim at adapting this dimension to today's external relations and security challenges. Thus, the political provisions of the Agreement would be enriched with references to the International Criminal Court and the fight against terrorism.

A more controversial element is the EU proposal to extend the list of "essential elements" of the partnership by adding a reference to the proliferation of weapons of mass destruction. Violation of this principle could lead to a suspension of EU aid under Article 96 of the Cotonou Agreement. ACP countries strongly object the proposal, arguing that it is not an essential element for development and poverty reduction. The Commission and EU member states seem to differ on whether it should be integrated as an 'essential' or a 'fundamental' element or be discussed in the framework of Article 8 on political dialogue.

Another thorny issue is the consultation procedure leading to a possible application of the above mentioned Article 96 on suspension of EU aid. The ACP group is keen to make a better use of 'political dialogue' as a tool to iron out tensions in the partnership. It is proposing new wording that would make the start-up of a consultation procedure dependent on a joint ACP-EU decision. The EU strongly opposes the co-decision principle.

### Improving Management

The review process also offers both parties an opportunity to consider improvements in the day-to-day management of ACP-EC cooperation and the resources involved.

Thus, there seems to be a consensus on the need to reorient the function of National Authorising Officer (NAO) towards ensuring strategic and coordination - and away from purely administrative and procedural tasks). There is no shortage of complaints on procedures and their negative impact on effective aid delivery. Yet some promising adaptations are envisaged, including the possibility for regional organisations and its members to benefit from EDF funds. While quite some progress has been achieved in several countries with the integration of non-state actors (NSAs) into ACP-EC cooperation, some 'nitty-gritty' implementation bottlenecks have clearly emerged. The main bone of contention is likely to be the issue of 'direct access' to EDF funding. The possibility for NSAs to obtain support without needing the formal approval of government is not a luxury

in countries with limited democratic space and poor governance. Yet the proposal is politically sensitive and loaded with technical difficulties.

Some adjustments are planned to integrate 'missing elements' into the Agreement. For instance, both parties stand to gain from more flexibility in the use of EDF resources (at national and regional level) for special circumstances, such as responding to post natural disaster emergencies.

Another relative 'omission' in the Agreement, to be corrected during the review, is the role of local governments in ACP-EC cooperation. Local governments occupy an increasingly important place in the development process in the context of decentralisation processes taking place in most ACP countries. While there is no shortage of provisions dealing with NSAs, the Cotonou Agreement is very vague on the specific role of local governments as well as on the opportunities for participation and financial support. Redressing this imbalance would improve the overall coherence of the Agreement with regard to the actors of partnership. It would also help to create the conditions for the (long overdue) integration of local governments in ACP-EC cooperation.

### Suggested Readings

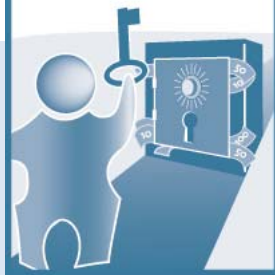
*The review of the Cotonou Partnership Agreement. Does the ACP stand to lose again? Concord Cotonou Working Group.*  
[www.concordeurope.org/download.cfm?media=pdfUK&id=674](http://www.concordeurope.org/download.cfm?media=pdfUK&id=674)  
Cotonou Infokit [www.ecdpm.org](http://www.ecdpm.org)

# ACP-EC cooperation in practice

## Facts and stories

Hard facts and stories on four aspects of ACP-EC cooperation: money, politics, policies and the EU.

### Where does ACP-EC money go?



The European Parliament (EP) is to form a temporary committee on the Financial Perspectives. The committee will be mandated specifically to define the EP's political priorities for future EU budgets; to propose a structure for future financial per-

spectives in line with these priorities; to make an estimate of the financial resources to be allocated to EU expenditure for the 2007-2013 period; and to propose an indicative allocation of resources between and within the various headings. The new committee will be an important reference point for those lobbying the EU to adopt a more ambitious and development-oriented external policy.

The African Union (AU) has agreed to increase its military force in Sudan's troubled region of Darfur from under 400 to over 3,000 troops. The expanded AU mission in Sudan will cost USD 220 million a year, five times the budget for the AU's current operation in the region. With additional contributions from member states, the European Union will pay more than half the cost of the AU's peace-keeping force.

### What policy debates are taking place?

The European Commission has proposed reserving a financial envelope of EUR 25 billion for ACP countries in EU budgets for the 2007-2013 period. The EU Member States still have to approve the proposal, which contains estimates based on the Community's budget allocation keys. The ACP group can use the ongoing review of the Cotonou Partnership Agreement (see editorial) as a lever to bring its influence to bear on these vital negotiations on the EU's Financial Perspectives. The EU will have to fix the overall financial envelope for the next five years by March 2005, which is when the negotiations are due to be completed.

The European Commission has not yet taken a decision on how to deal with the results of the mid-term reviews (MTRs) conducted by the ACP countries. A decision is expected before the end of the year. For those countries whose MTRs recommend a change in strategy and/or financial allocations, addenda will be required to the Country Strategy Papers, specifying the changes to be made.

### Where is Europe going?

The EU has spent the past few years working on the formulation of a common security policy. In December 2003, the European Council agreed on a European Security Strategy (ESS), which advocates preventive engagement and effective multilateralism. A new study, commissioned by the EU, seeks to clarify how Europe should implement the ESS. The report focuses on regional conflicts and failing states, which are often a source of new global threats such as terrorism, proliferation of weapons of mass destruction and organised crime. It argues that Europe should enhance its capability to make a more active contribution to global security, including by using its military forces in new ways.

Human Security Doctrine Report

[http://ue.eu.int/uedocs/cms\\_data/docs/pressdata/solana/040915CapBar.pdf](http://ue.eu.int/uedocs/cms_data/docs/pressdata/solana/040915CapBar.pdf)



### What's new in the political arena?

On 17 October, EU Justice Ministers discussed the creation of centres for refugees and immigrants outside the borders of the

European Union (i.e. in North Africa) as part of a plan to tackle illegal immigration. Both France and the new socialist government in Spain were hostile to the idea, which was proposed by Germany and Italy and supported by the UK. In June 2003, the EU Council rejected a more radical version of new EU policies on asylum and migration (including proposals to use reduce aid to non-cooperative developing countries).

# 'The African Union is a symbol of Africans' desire to plan their future together'

## Interview with Said Djinnit

African Union Commissioner for Peace and Security

The African Union Commission (AUC), led by Mr Konaré, former President of Mali, is keen to play its role as the driving force of the African Union (AU) to the full and to tackle the main challenges facing Africa. Can it be successful? InfoCotonou put this question to Mr Said Djinnit, who occupies the key post of Commissioner for Peace and Security.

*Many people, especially in Europe, are wondering how the AU differs from its predecessor, the Organization of African Unity (OAU), whose effectiveness has often been questioned.*

SD: In my view there are four main differences. First, the overall context has changed. The creation of the AU was in the first place the result of new dynamics in Africa (in particular the demand for democracy) but also of pressures from outside (linked to changes in the world). Second, the OAU's action and credibility - beyond the fight for decolonisation - were hampered by its failure to gain grass-roots support among the peoples who, while accepting the pan-African ideal, felt that the OAU's structures - which they saw as a kind of club for Heads of State - did not necessarily represent them. The AU now has a Pan-African Parliament, has opened up to civil society and is giving a fundamental place to women (as prime movers of democratic change). Third difference: the ability to play a genuine role in the area of peace and security. Under its principle of 'non-interference', the OAU could not intervene in the tragic conflicts which have rocked our continent. The fact that the Constitutive Act of the Union enshrines the principle of 'non-indifference' and the rapid introduction of a Peace and Security Council should now help the AU to intervene in the event of conflict (as in Burundi, Darfur and Côte d'Ivoire). Lastly, it should not be forgotten that the new Commission is an elected body (and not a Secretariat) with a clear mandate and a concern to encourage and channel the many positive forces for change in our continent.

*The Commission has drawn up an ambitious Strategic Plan for 2004-2007 in which institutional transformation plays a major role. What do you feel are the strengths of this plan?*

SD: This programme has my support because the Union is trying to have a direct and real impact on the major challenges facing Africa and on people's standards of living. The Plan has three strategic priorities. First, to step up the capacity for rapid intervention to ensure peace and security. Then, for Africans to develop shared values of governance. In this respect, the African Union is an essential interface between the requirements of good governance imposed by the modern age and the aspirations and concerns of African people as regards the governance of our societies. The Union has already made progress in this area by systematically condemning coups d'Etat and advocating the principle of limits on Presidential mandates. This new vision of governance is also reflected by the NEPAD. The NEPAD cannot be isolated from the AU as they are closely linked. In some ways, the NEPAD is the 'soul' of the Union while the AU is the 'body' which is to shelter the NEPAD programme - without thereby smothering it in bureaucratic red tape. The third objective is continental integration. It should be borne in mind here that the African peoples are often ahead of States in expressing their desire to rally and work together beyond national frontiers. The realisation of this programme will depend on our capacity to put in place a functional and effective Commission.

*Are the Commission's resources in line with its ambitions? How do you see its relations with the Member States?*

SD: There is little doubt that the principle of national sovereignty is still at the forefront of African minds. Moving towards a system of collective governance will take time; the Commission will also have to be able to promote the practice of 'shared responsibili-



Said Djinnit

Photo: African Union

ties', especially in fields in which States have realised that separate national action ultimately serves little purpose (for instance external trade, the fight against AIDS, environmental protection). In this context, the right of initiative that the Commission now has is a major asset, as it should make it possible to boost new forms of collective governance, to mobilise the continent's institutions and capacities and to forge alliances for change with the Pan-African Parliament, the Court of Justice, the Economic, Social and Cultural Council (ECOSOCC) and civil society in general.

*How are the AU's programmes to be financed?*

We have made enough noise to sensitize Member States of the importance of additional sacrifices. As an 'act of faith' in the Union and its objectives, the current budget should be at least doubled. The Union also needs to be creative and look for new non-budgetary resources in Africa (in the form of taxes, for instance). On top of this, backing is coming from partners who are showing a growing interest in supporting the emergence of a strong and credible Union. However, in budget terms, I agree with those who think that the AU must be

'proactive' in looking for funds, without losing sight of its capacity to take up and implement programmes.

*How do you see relations between the AU and its 'natural' partner, the European Union?*

This is a very important relationship. In my view there are two challenges. First, the part-

nership needs to be updated so that common interests and potential for cooperation can be better managed. Second, Europe's cooperation policies need to be made more coherent: at present they are structured around three unconnected frameworks, i.e. the Cotonou Agreement for the ACP Countries, MEDA cooperation and the special agreement with southern Africa. The

AU is a symbol of Africans' desire to plan their future together, at a continental level. The EU's overall policy towards Africa should mirror this approach and ensure that its relations with Africa - as a continental unity built on solidarity - are more coherent.

Website: [www.africa-union.org](http://www.africa-union.org)

## EVENTS

A Conference entitled 'Europe and the South: A New Era. European Development Cooperation: towards policy renewal and new commitment' was held in the Hague from 27-28 September. Those attending were European parliamentarians and representatives of European civil-society associations, plus delegates from developing countries. The conference was organised under the auspices of the European Association of Development Institutes (EADI) and the Society for International Development (SID), as part of the 'European Development Cooperation towards 2010' project. [www.edc2010.net/detail\\_page.phtml?&username=guest@euforic.org&password=9999&groups=EDC2010&page=the-hague2004](http://www.edc2010.net/detail_page.phtml?&username=guest@euforic.org&password=9999&groups=EDC2010&page=the-hague2004)

The ACP-EU Joint Parliamentary Assembly was held in The Hague from 20-25 November. Prominent agenda items were Darfur and the Caribbean region 'post-hurricane'. A workshop on capacity strengthening for ACP parliaments was held immediately prior to the meeting, on 20 November. [www.europarl.eu.int/intcoop/acp/10\\_o1/default\\_en.htm](http://www.europarl.eu.int/intcoop/acp/10_o1/default_en.htm) and [www.acpsec.org/InternalSheet.aspx?ArticleFileName=2004/APPbureau\\_en.html&sessLang=1](http://www.acpsec.org/InternalSheet.aspx?ArticleFileName=2004/APPbureau_en.html&sessLang=1) and [www.acpsec.org/InternalSheet.aspx?ArticleFileName=2004/appcommission\\_en.html&sessLang=1](http://www.acpsec.org/InternalSheet.aspx?ArticleFileName=2004/appcommission_en.html&sessLang=1)

Convened by the Economic and Social Committee (ECS), the seventh regional seminar of the ACP-EU economic and social interest groups was held in Suva, Fiji, on 18-20 October. The participants reviewed hot issues on the agenda of ACP-EU cooperation, including the monitoring of Economic Partnership Agreements; regional integration through the promotion of sustainable trade; the role of women; and the promotion of sustainable development in the Pacific.

[www.esc.eu.int/press/index\\_en.asp](http://www.esc.eu.int/press/index_en.asp)

On-line discussion forum on ACP civil-society participation in the Cotonou Partnership Agreement.

[www.acpsec.org/ExternalSheet.aspx?ArticleFileName=http://www.acp.int/forum/index.htm&sessLang=1](http://www.acpsec.org/ExternalSheet.aspx?ArticleFileName=http://www.acp.int/forum/index.htm&sessLang=1)

## READINGS

*European Commission staff working document reviewing the implementation of the Commission's communication on the EU's Role in Promoting Human Rights and Democratisation in Third Countries.* [http://europa.eu.int/prelex/detail\\_dossier\\_real.cfm?CL=en&DosId=191607](http://europa.eu.int/prelex/detail_dossier_real.cfm?CL=en&DosId=191607) and [www.europa.eu.int/comm/governance/index\\_en.htm](http://www.europa.eu.int/comm/governance/index_en.htm)

*Europe's Common Foreign and Security Policy and Europe's Development Cooperation Policy*, Speech by Koos Richelle, Director of EuropeAid. [www.eadi.org/pubs/pdf/richelle\\_cds.pdf](http://www.eadi.org/pubs/pdf/richelle_cds.pdf)

*Practical guide to contract procedures financed from the 9th European Development Fund (EDF).*

[www.europa.eu.int/comm/europeaid/tender/gestion/index\\_en.htm](http://www.europa.eu.int/comm/europeaid/tender/gestion/index_en.htm)

*The Poverty Manual produced by the World Bank Institute* contains informative descriptions of poverty issues. It covers the concept of poverty and welfare, poverty measurements, poverty lines, inequality measures, determinants of poverty, and poverty reduction policies. For more information, visit: [www.worldbank.org/wbi/povertyanalysis/manual/](http://www.worldbank.org/wbi/povertyanalysis/manual/)

*Aid to 'Poorly Performing' Countries: a Critical Review of Debates and Issues.* [www.odi.org.uk/publications/poorly\\_performing\\_countries/Aid\\_to\\_PPCs.pdf](http://www.odi.org.uk/publications/poorly_performing_countries/Aid_to_PPCs.pdf)

*How did David prepare to talk to Goliath? South Africa's experience of trade negotiations with the EU.* ECDPM Discussion Paper No. 53. [www.ecdpm.org](http://www.ecdpm.org)

*Organising trade negotiating capacity at a regional level: a Caribbean case study.* ECDPM Discussion Paper No. 54. [www.ecdpm.org](http://www.ecdpm.org)

*Parliaments and development. The icing on the cake? What parliamentary capacity can mean for ACP-EC cooperation.* ECDPM InBrief No. 9. [www.ecdpm.org](http://www.ecdpm.org)

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'InfoCotonou' highlights key debates, activities and events related to the implementation of the Cotonou Partnership Agreement, an agreement between the African, Caribbean and Pacific (ACP) countries on the one hand, and the European Union (EU) on the other. ACP-EC actors are encouraged to share their opinions, reports and other resources on ACP-EC cooperation. The ECDPM is a non-partisan organisation that seeks to facilitate international cooperation between the ACP and the EC. Information may be reproduced as long as the source is quoted.

The ECDPM acknowledges the support it receives for 'InfoCotonou' from the Ministries of Foreign Affairs in Sweden, Finland and the Netherlands, the Directorate-General for Development Cooperation in Belgium, the Swiss Agency for Development and Cooperation and the Instituto Português de Apoio ao Desenvolvimento in Portugal.

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ISSN 1571-7518