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Recommendation for a

COUNCIL DECISION

**authorising the opening of negotiations on a Partnership Agreement between the
European Union and countries of the African, Caribbean and Pacific Group of States**

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EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

Reasons for and objectives of the proposal

The purpose of this initiative is to renew the partnership agreement with countries member of the Africa, Caribbean and the Pacific (ACP) group of States. Currently these relations are governed by the Cotonou Partnership Agreement (CPA), which establishes that the Parties must open negotiations eighteen months before its expiration in February 2020.

The aim of the proposal is the conclusion of a comprehensive agreement with the current 79 countries signatories to the CPA, with a focus on materializing common as well as specific EU interests (e.g. migration; peace and security, investment), going beyond the 'universal' approach and departing even more from donor-recipient dynamics.

Learning from the positive outcomes and weaknesses of the current CPA, while taking into account the changed context and current EU policies, and having taken a long term perspective beyond 2020, the EU has identified overarching strategic interests to be pursued. Namely: 1) forging a political partnership focused on building peaceful, stable, well-governed, prosperous and resilient states and societies; 2) accelerating progress towards the attainment of the Sustainable Development Goals; 3) building effective alliances in international settings with a view to driving global action forward. These objectives are translated into more specific goals for each of the priority areas.

So as to progress towards these objectives, the long-term relationship that has evolved substantially throughout, needs again to be overhauled to be fit for purpose. This should occur in full respect of keeping and building on the very strong basis laid over time. In this regard, it is of utmost importance to fully take into account the strengthened regional frameworks and trends that have emerged across Africa, the Caribbean and the Pacific.

It is therefore the objective to obtain a new agreement that consists of three regional compacts based on a common foundation. The centre of gravity will be on the regional compacts, setting region-specific priorities towards countries in Africa, the Caribbean and the Pacific. The common foundation, applicable to all members of the Partnership, will list general objectives, principles and priorities, and enable increased cooperation at international level.

The regional compacts will be protocols to the agreement, providing for a comprehensive legal framework of the relations. At the same time, the agreement will allow for a flexible adjustment to changing circumstances through the application of a simplified procedure to revise the three regional compacts. The strengthened role of the (sub)-regional organisations will have to be recognised and catered for within the Partnership, particularly towards the governance of the regional compacts.

The Partnership will be open to different degrees to the involvement or adhesion of other countries, which share the same values and contribute to meeting the objectives. This is particularly relevant, for instance, to allow strengthening the 'Africa as one' approach, whilst respecting the existing bilateral association agreements with North African countries. The role of civil society as well as the private sector will be strengthened, not only within the Partnership but also as crucial actors to achieving inclusive sustainable development in their respective countries and regions. The institutional set-up will reflect this evolution and be made lighter and more streamlined.

Note that the comprehensive agreement sought, frames the relations with the partner countries at all political levels, be it national, (sub)-regional or at the level of the Partnership, and that the national level remains the one with most traction, also in view of the subsidiarity principle. Similar to other agreements it will not be limited in time, but will foresee the possibility to be terminated upon request of one of the Parties.

The partner countries have expressed their ambition to obtain a renewed legally binding partnership agreement with the EU, building on the basis laid down in the current CPA. Additionally, during outreach missions partner countries expressed general appreciation for the proposed strengthened regional approach.

It is in the interest of the EU and the partners to conclude the negotiations timely in order to avoid a political vacuum after 2020.

It is necessary to set up a negotiating team, composed of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy. The negotiating team should be headed by the Commission in association with the High Representative. In particular, the negotiating team will, in addition to the relevant Commission services, also include the European External Action Service.

Pursuant to Article 18, paragraph 4, TEU, the High Representative/Vice President will ensure the consistency and coordination of the Union's external action in relation to these complex negotiations

Consistency with existing policy provisions in the policy area

The current proposal for a comprehensive agreement is fully consistent with related EU policies.

In line with the Global Strategy on the EU's Foreign and Security Policy, it seeks to promote a number of universal and indivisible values, an integrated approach to conflicts and crises, and specific measures aimed at combatting terrorism and countering radicalisation, ultimately contributing to building peaceful, stable, well-governed and resilient states and societies. Furthermore, it highlights the need to build effective alliances in international settings, with the underlying principle of multilateralism. Finally, it seeks to preserve and enhance the crucial role of dialogue at all political levels. In line with the revised European Consensus on Development, the attainment of the Sustainable Development Goals (SDGs), and particularly poverty eradication, will be placed at the heart of the new partnership.

The proposal also builds on existing strategies (including subsequent developments) for relations between the EU and various ACP regions – most notably the 2007 Joint Africa-EU Strategy (JAES), the 2012 Joint Caribbean EU Partnership Strategy, and the 2006 Strategy for a Strengthened Partnership with the Pacific Islands. The three proposed Compacts, in fact, will replace and upgrade these strategies.

In line with existing provisions on trade policy, it seeks to create new economic opportunities for sustainable growth, blue and green and small and medium-sized businesses (SMEs) and to bolster foreign direct investment.

In line with existing provisions on migration policy, it presents a comprehensive and rights-based approach to migration and mobility. This will aim at better organising legal migration, fostering well-managed mobility, maximising its development impact as well as preventing and combatting irregular migration, eradicating trafficking in human beings and establishing a mechanism for effective return and readmission.

In line with existing provisions on environmental policy, it highlights the need to take urgent and accelerated action to fight environmental degradation and climate change, which pose major threats to the attainment of the SDGs and, in some cases, to the survival of entire populations.

The proposal is also fully consistent with a number of other relevant Union policies related to the set priorities, such as energy, education, employment and research and innovation.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

Legal basis

The classification of an international agreement can only be determined at the end of the negotiations on the basis of the content and purposes of the agreement. Therefore the Commission submits its recommendation for a Council decision to open negotiations on the basis of Article 218 (3) and (4) TFEU, which is the procedural legal basis.

Subsidiarity

Europe faces a number of challenges and opportunities, in the short and long term which demand collective action and concerted effort across a range of internal and external policies. The EU, with its broad set of policies and instruments, is well placed to confront such challenges and seize the opportunities ahead.

Action at EU level has an added value, in terms of political and economic leverage. The global network of EU delegations for instance ensures a presence in countries where many Member States are not represented. The EU level is particularly suited to build strategic alliances with the large number of members of the Partnership so as to drive global action forward in line with EU interests. It should also be noted that some policy areas, most notably trade, are exclusively the competence of the EU.

The proposal, moreover, extends the internal EU commitment to the principle of subsidiarity to the Partnership. With a view to avoiding duplication or overlap of different frameworks and structures, it is foreseen that action is taken at the most appropriate political level.

Proportionality

This initiative pursues directly the Union's objective in external action as per Article 21 of the Treaty on European Union and contributes to the political priority of 'EU as a stronger global actor'. It is in line with the EU Global Strategy stipulation to engage with others and revamp its external partnerships in a responsible way, as to attain EU's external priorities. The proposal does not create new structures or imposes supplementary burdens on the EU, on the contrary it streamlines existing institutions, procedures and instruments and facilitates interactions between the various levels of governance¹.

¹ See as well 'Why the EU should act', Impact assessment, SWD(2016) 380 final, pp18

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

Ex-post evaluations/fitness checks of existing legislation

An in-depth evaluation assessed the performance of the first 15 years of the CPA.

Good progress was recorded as regards political dialogue at national and regional level, which helped reinforce the essential elements in ACP countries. The CPA increased mutual understanding and cooperation on security issues and provided a first step for deepened cooperation on migration, which paved the way for the Rabat, Khartoum and Valletta processes. Trade exchanges substantially increased – and the EPAs have been a main deliverable of the agreement. Additionally, major progress was made in human and social development and in macro-economic stabilisation in ACP countries.

The evaluation also highlighted how efforts were still needed to fully achieve the CPA objectives. Moreover, while these objectives remain relevant, they only address part of the major changes that have occurred in the global context in recent years. The evaluation concluded that the general objectives needed to be reviewed in light of the new challenges and opportunities for the EU and its partners. A review of the institutional architecture was also recommended, so as to increase coherence between different policy frameworks and to streamline decisions.

Stakeholder consultations

A wide range of stakeholders was consulted.

A first round of consultations was launched, including a public consultation and exchange with EU delegations. The outcomes of this round fed into the evaluation of the CPA and the Impact Assessment, which informed the November 2016 Joint Communication. A second round of consultations took place following the release of the 2016 Communication, this time focusing primarily on decision makers. The emerging view was the need to strengthen those provisions that enable a more effective promotion of vital EU interests (particularly on migration and investment). General consensus was seen on the need to take account of new regional dynamics and avoid overlap between different policy and legal frameworks. However, there were differences in relation to the degree of regionalisation that should take place – and in a few cases some voices were critical of the added value of having a legally binding agreement.

The European Parliament was consulted on various occasions and informed regularly, before and after the release of the Joint Communication. The October 2016 resolution emphasised the need for a renewed legally binding agreement with three strengthened regional partnerships, fully in line with the current proposal.

As regards outreach to the countries in Africa, the Caribbean and the Pacific, the 2016 ACP Head of States summit in Papua New Guinea concluded in its Waigani communiqué to seek a renewed legally binding partnership with the EU, building on the basis laid by the CPA, deepen political dialogue and increase international cooperation.

In addition, Commissioner Mimica and two high-level facilitators (Louis Michel and Pascal Lamy) undertook outreach missions in Africa, the Caribbean and the Pacific. The overall conclusion is that the EU proposed approach was met positively, particularly the shift of emphasis to the three regions and their specific priorities. At the same time, the importance of preserving ACP cohesion was highlighted by numerous interlocutors. Importantly, major

emphasis was placed on the need to significantly enhance investment opportunities and facilitate private sector development.

Collection and use of expertise

The current proposal has benefited from engagement with external expertise. A series of roundtables with experts was held along with a review of the existing academic literature which informed both the General Evaluation of the CPA, the Impact Assessment, the Communication and the Recommendation.

Impact assessment

Of the future options that emerged from the consultation process only those that were likely to achieve (most of) the EU objectives were subject to a full analysis in the impact assessment. The current CPA constituted the baseline against which all the options were assessed.

A systematic analysis of various impacts of each of the options led to the conclusion that the EU's objectives are best pursued through an agreement consisting of a general part applicable to all and three strong regional partnerships. This option was seen as enabling the preservation of all the positive aspects of the current CPA whilst facilitating the establishment of the right conditions for the EU to meet its new objectives. These include more effectively pursuing its political and economic interests, increasing its impact in the international arena, and improving the prospects of implementing Agenda 2030. Moreover, by taking into account deepened regionalisation dynamics, the preferred option was seen as the most suited to tailor actions to different circumstances.

The Impact Assessment received a positive opinion by the Regulatory Scrutiny Board in July 2016. The current proposal is fully in line with the option recommended in the Impact Assessment, as further specified in the Joint Communication adopted in November 2016.

Fundamental rights

One of the objectives of the proposed partnership, fully consistent with EU treaty provisions, is that of promoting human rights and fundamental freedoms (as well as democracy, rule of law and good governance). Should the legally binding nature of the partnership be abandoned, these commitments would be lost – and this would be undesirable, given the changing international scene with emerging powers not necessarily sharing these values and principles. The current proposal also gives the possibility to better anchor fundamental rights and political dialogue to regional frameworks and systems.

4. BUDGETARY IMPLICATIONS

This initiative is not expected to have significant new budgetary implications – though it should be noted that the amount of resources available to finance EU external action will be decided upon in the context of the Multiannual Financial Framework (MFF) review.

In terms of financial instruments, the European Development Fund (EDF) has been the main one to support initiatives in ACP countries and regions. The EDF is an extra-budgetary fund financed by direct contributions from EU Member States.

5. OTHER ELEMENTS

Implementation plans and monitoring, evaluation and reporting arrangements

The current proposal foresees to adopt implementation plans at the different levels of dialogue. The proposal also foresees a system to monitor progress, using specific indicators and measurable outcomes, drawing mostly on existing initiatives.

Detailed explanation of the specific provisions of the proposal

The current proposal foresees the adoption of one agreement with the following main components:

- A general part applicable to all members of the Partnership, consisting of the foundation (including overarching objectives and principles, strategic priorities and provisions on international cooperation), the institutional framework, the means of cooperation, and the final provisions.
- Separate regional compacts, including specific objectives and priorities for respectively countries in Africa, the Caribbean and the Pacific. These three compacts, in the form of protocols attached to the general part of the agreement, will replace the existing regional partnerships.

Foundation

Part 1 (General Provisions) presents the general objectives and principles. The aim is that of adopting a framework agreement that allows the EU to best advance its strategic interests, with Agenda 2030 on Sustainable Development at its heart. Three overarching objectives are introduced that are then spelt out in six priority areas. International cooperation is a priority treated separately. The section on principles reflects widely accepted norms in EU external relations as well as in international cooperation: multilateralism, multi-stakeholder approaches, complementarity and subsidiarity, mutual accountability. Particular emphasis is given to political dialogue and policy coherence for development.

Part 2 (Shared Priorities) expands on the six priority areas. The sections on 'Human rights, fundamental freedoms, democracy, rule of law and good governance' (Title I), 'Peace, security and justice' (Title IV), 'Migration and mobility' (Title V) build on the CPA and are consistent with existing provisions in EU external relations. More specifically, the section on migration, taking a right-based approach and highlighting the beneficial aspects of well-managed migration, calls on partner countries to establish more effective mechanisms for return and readmission policies. The sections on 'Inclusive sustainable economic development' (Title II), 'Environment and climate change' (Title III), 'Human development and dignity' (Title VI) introduce some significant changes vis-a-vis the CPA, not least because of the adoption of Agenda 2030. In this sense, there is a strong commitment by the Parties to take concrete measures to reach the SDGs, and when possible to even go beyond them. Major emphasis is placed on foreign direct investment and private sector development, with a view to generating new economic opportunities and more and better jobs for everybody.

Part 3 (International Cooperation) presents the principles and mechanisms underpinning the action of the EU and members of the partnership when they will seek to cooperate in the international arena. To achieve results, both ministerial meetings and specific coordination mechanisms in key international organisations and venues will have to be strengthened or created. A possibility to involve other interested actors is also foreseen.

EU-Africa Compact

Section 1 (Basis for Cooperation) presents the objectives and principles for the EU-Africa Compact, which go beyond and integrates the existing Joint Africa-EU Partnership (JAES). The objective is that of enhancing the political dimension in the relations between EU and African countries by agreeing on a new broadened single guiding document and operationalising it within the legal framework of the renewed partnership with sub-Saharan countries, whilst preserving the current Association Agreements with countries in North Africa.

Section 2 (Strategic Priorities) identifies a number of concrete measures that the EU and African countries will take in the six priorities areas. Some significant changes are introduced on 'Inclusive sustainable economic development' (Title III) and on 'Mobility and migration' (Title V). As for economic development, the current proposal recommends a series of actions on key vectors which are deemed to be conducive to greater flows of investment and to private sector development. As for migration, the current proposal highlights the positive contribution that legal mobility can bring to both sending and receiving countries, yet it also foresees more stringent mechanisms to guarantee that countries respond more swiftly to readmission requests, as well as provisions to intensify cooperation on border management and combat human trafficking. The EU-Africa Compact also lists a number of concrete measures in the areas of peace and security, particularly the fight against terrorism (Title I), 'Human rights and democratic governance (Title II), Human Development and dignity' (Title IV) and 'Climate change and environmental sustainability' (Title VI). Such measures are certainly meant to achieve the SDGs but they also embrace the visions that the EU and the AU have put forward in their most recent strategic documents (Agenda 2063 for Africa; Global Strategy on the EU's Foreign and Security Policy and European Consensus on Development).

The *institutional set-up* of the EU-Africa Compact is underpinned by a revised framework, mainly building on existing dialogue platforms with a more prominent role assigned to the African Union (AU).

EU-Caribbean Compact

Section 1 (Basis for Cooperation) presents the objectives and principles for the EU-Caribbean Compact, which builds on and replaces the Joint Caribbean EU Partnership Strategy. Importantly, it recognises the Caribbean's close links with the Outermost Regions (ORs) and the Overseas Countries and Territories (OCTs).

Section 2 (Strategic Priorities) identities a number of concrete measures that EU and Caribbean countries will take in the four priority areas. Highlighting the crucial importance of regional cooperation, the focus will be on four issues: impact of climate change on natural resources, with significant attention being placed on environmental sustainability and disaster management (Title I); need to concentrate efforts on key strategic sectors, linked to blue growth, energy and tourism (Title II); promotion of human security, with specific emphasis on organised crime and (gender-based and gangs) violence, as well as setting up mechanisms in the area of tax policy in line with global standards (Title III); inequality and gender equality, as well as the specific situation of Haiti as the only LDC in the region (Title IV).

The *institutional set-up* of the EU-Caribbean is underpinned by a revised institutional framework (discussed in Part III of the General Part), mainly building on existing dialogue platforms.

EU-Pacific Compact

Section 1 (Basis for Cooperation) presents the objectives and principles for the new EU-Pacific Compact. Importantly, it recognises the EU's special links with the Overseas Countries and Territories (OCTs).

Section 2 (Strategic Priorities) identifies a number of concrete measures that EU and Pacific countries will take in the four priority areas. Reflecting the specificities of the region, and taking into account the crucial importance of regional cooperation, the focus will be on four issues: climate change and sustainable management of natural resources, including ocean governance and disaster management (Title I); a targeted number of strategic sectors, particularly fisheries, sustainable energy, blue growth economy and tourism (Title II); promotion of human rights and conflict prevention activities, as well as setting up mechanisms on tax policies including the issue of tax heavens (Title III); human development and social cohesion, addressing different types of vulnerabilities (Title IV).

The *institutional set-up* of the EU-Pacific Compact is underpinned by a revised institutional framework (discussed in Part III of the General Part), mainly building on existing dialogue platforms.

Diversified cooperation

This Part is devoted to the means of cooperation, both financial and non-financial, to fulfil the general and specific objectives set out both in the Foundation and in three Compacts. It is stated that cooperation is to be diversified so as to reflect a variety of circumstances across countries and regions. It is reiterated the commitment of the EU to provide an adequate amount of development assistance to those most in need and enhance its effectiveness in line with internationally agreed principles. Equally, it is emphasised the need for ACP countries to mobilise domestic public and private resources and launch reforms of their tax policies, including combatting illicit financial flows. The EU will also seek to more effectively engage with middle-income countries (MICs), so as to address vulnerability and in-country inequalities but at the same time create additional opportunities for EU business and citizens and foster cooperation for the achievement of the SDGs in their respective regions as well as globally.

Institutional framework

This Part deals with the actors of the partnership and the institutional set-up, for both the partnership level and the three Compacts. In terms of actors, it is reaffirmed that states are the primary interlocutors for the EU, though national governments must make further efforts to better involve national parliaments and local state authorities. At the same time, it is proposed to strengthen the role of regional and continental organisations, in both managing and implementing the three regional compacts. It is also proposed to strengthen the role of civil society as well as the private sector not only within the Partnership but also as crucial actors to achieving inclusive sustainable development in their respective countries and regions. The new institutional set-up reflects the strengthened political nature of the partnership, as well as the shift of the centre of gravity towards the three regions. It streamlines and reduces the operational impact of the existing structures and builds mainly on existing regional political dialogue platforms.

Procedural aspects

The Commission makes this Recommendation and its annex public immediately after its adoption. The Commission recommends that the negotiating directives be made public immediately after their adoption.

Recommendation for a

COUNCIL DECISION

authorising the opening of negotiations on a Partnership Agreement between the European Union and countries of the African, Caribbean and Pacific Group of States

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 218(3) and (4) thereof;

Having regard to the recommendation from the European Commission;

Noting that Article 218 TFEU provides for the single procedure to be followed for negotiating agreements between the Union and third countries;

Whereas negotiations should be opened with a view to concluding a renewed Partnership Agreement with African, Caribbean and Pacific countries;

Whereas the envisaged Partnership Agreement between the European Union and countries of the Africa, Caribbean and Pacific Group of States covers a wide spectrum of policies, including foreign policy issues; the consistency of the Union's external action should be ensured throughout by the High Representative pursuant to art 18 (4) TEU.

HAS ADOPTED THIS DECISION:

Article 1

Authorises the Commission and the High Representative to negotiate, on behalf of the Union a Partnership Agreement with countries of the African, Caribbean and Pacific Group of States.

The Commission shall be the head of the negotiating team. It shall also comprise the High Representative of the Union for Foreign Affairs and Security Policy.

Article 2

The negotiating directives are set out in the Annex and will be made public upon adoption.

Article 3

The negotiations shall be conducted in consultation with the [name of the special committee to be inserted by the Council].

Article 4

This Decision is addressed to the Commission.

Done at Strasbourg,

*For the Council
The President*



EUROPEAN
COMMISSION

Strasbourg, 12.12.2017
COM(2017) 763 final

ANNEX

ANNEX

**to the Recommendation for a
Council Decision**

**authorising the opening of negotiations on a Partnership Agreement between the
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ANNEX

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1. NATURE AND SCOPE OF THE AGREEMENT

The purpose of the negotiations is to conclude a strengthened Partnership between the European Union (EU) and the countries of Africa, the Caribbean and the Pacific. The objective is to obtain a new Agreement that consists of a common foundation and three regional compacts. The common foundation, applicable to all members of the Partnership, will list general objectives, principles and priorities, and enable increased cooperation at international level. The centre of gravity will be on the regional compacts, setting region-specific priorities towards countries in Africa, the Caribbean and the Pacific, in line with intensified regional dynamics and the increased importance of regional organisations. The Partnership will be open to different degrees to the involvement or adhesion of other countries, which share the same values and contribute to meeting the objectives.

The new Agreement is envisaged as a comprehensive political partnership framing the relations between the Parties and generating mutually beneficial outcomes on common and intersected interests. To this effect, it will aim, first, to build peaceful and resilient states and societies, maximize the benefits of well-managed migration, and ensure full respect of international commitments on human rights, fundamental freedoms and democratic principles. Second, it will seek to advance sustainable development, based on the implementation of the Agenda 2030 for Sustainable Development and the Paris Agreement on Climate Change, as well as bolster investment and create decent jobs for all. Third, it will facilitate common positions on the world stage, reinforcing multilateralism and a rules-based international order.

The regional compacts are protocols to the agreement, providing for a comprehensive legal framework of the relations. At the same time, the Protocol allows for a flexible adjustment to changing circumstances through the application of a simplified procedure to revise the three regional compacts.

The Agreement will include an adapted institutional architecture, to ensure simplification of and greater coherence with existing frameworks and to enable decisions and actions to be taken more quickly and effectively. It will also state that the Parties will pursue a multi-stakeholder approach by strengthening the role of civil society and the private sector.

2. FOUNDATION

PART 1 COMMON PROVISIONS

Title I Objectives

The Agreement will establish that the Parties¹ have the common objectives of:

Forging a political partnership focused on building peaceful, stable, well-governed, prosperous and resilient states and societies;

- Accelerating progress towards the attainment of the Sustainable Development Goals, and in particular poverty eradication, allowing for the different needs and priorities of different countries;
- Building effective alliances in international settings, with a view to driving global action forward.

More specifically, the Parties will commit to take concrete actions in order to:

- Uphold human rights, fundamental freedoms, democracy, the rule of law and good governance.
- Spur sustainable and inclusive growth and decent jobs for all.
- Protect the environment, fight climate change and promote sustainable energy..
- Promote peace, security and justice.
- Turn mobility and migration into opportunities and address challenges altogether.
- Foster human development and dignity.

Title II Principles

The Agreement will establish that the objectives of the Partnership, underpinned by a legally binding system, will be pursued in a spirit of equality, non-discrimination, solidarity and mutual respect.

The Agreement will reiterate the commitment of the Parties to strengthen regular political dialogue at all levels and through the format that best help meet the objectives of the Partnership.

The Agreement will express the support of the Parties to a strong and effective multilateral system and their determination to cooperate in multilateral fora and international organisations on issues of mutual and global interest.

The Agreement will attest that the objectives of the Partnership will be pursued through an integrated approach that incorporates political, economic, social, cultural and environmental elements.

The Agreement will state that the Parties will make decisions and undertake actions at the most appropriate level in line with the principles of complementarity and subsidiarity.

¹ Disclaimer: the final legal nature of the Agreement will be determined at the end of the negotiations on the basis of an analysis of the objective and content of the agreement.

Cooperation with formal and ad-hoc regional formats may be pursued in order to meet the objectives of the Partnership more effectively and efficiently.

The Agreement will state that the Parties will promote a multi-stakeholder approach, facilitating the active engagement of a wide variety of actors in dialogue and cooperation processes.

The Agreement will establish that the Parties should ensure that all necessary measures are taken to give effect to the provisions of the Agreement.

Title III Political dialogue

The Agreement will reaffirm the commitment of the Parties to further develop and strengthen political dialogue on all areas, aims and objectives defined in the Agreement.

The objectives of dialogue will be to (i) foster mutual understanding of each Party's positions and interests and (ii) contribute to the attainment of the Agreement's objectives, by facilitating and enabling effective cooperation on all issues of common concern, at national and regional level, and by enabling regular coordination on international and global issues of common interest. Dialogue may also aim at taking forward new initiatives pursuing common objectives, jointly agreed priorities and agendas, including by establishing new forms and formats of cooperation.

Dialogue will be conducted regularly, in a flexible and tailor-made manner. It will take place in the most appropriate format and at the most appropriate level, including national, regional, continental or all-ACP level. It will take full advantage of all possible channels, including in the context of international meetings.

Title IV Policy coherence for development

The Agreement will acknowledge that the integrated and interlinked goals of the 2030 Agenda for Sustainable Development require an enabling policy framework at different levels and proactive approaches seeking synergies of different policies. To this end, the Parties will agree to do each their part in working towards policy coherence, so as to ensure that their policies contribute to their sustainable development, both domestically and internationally.

The Agreement will include the commitment of each Party to individually and collectively maximise the benefits and minimise the negative impact that their policies may have on the other Party. Each Party will also undertake to inform and, where appropriate, consult with the other Party within the established institutional format on initiatives and measures that may have significant spill-over effects on the other Party.

PART 2 STRATEGIC PRIORITIES

Title I Human rights, fundamental freedoms, democracy, rule of law and good governance

The Agreement will include provisions whereby the Parties reiterate their commitment to promote, protect and fulfil the universal values of democracy, human rights, fundamental freedoms, good governance and the rule of law, respect for human dignity and the principles of non-discrimination, equality and solidarity. The Parties will promote these values in full respect of the principles of the UN Charter and international law.

The Agreement will ensure that respect for human rights, fundamental freedoms, democratic principles and the rule of law underpin the domestic and international policies of the Parties and constitute essential elements of the Agreement. Good governance will underpin as well the domestic and international policies of the Parties and constitute a fundamental element of the Agreement. The Agreement will also acknowledge that shortcomings towards the achievement and fulfilment of the essential and fundamental elements pose major challenges to sustainable development.

The Agreement will promote rights-based policies, encompassing all human rights and ensuring equal access to opportunities for all members of society, regardless of ethnicity, gender, age, disability, religion, beliefs, sexual orientation and gender identity, migration status or other factors. It will also include a commitment to the fight against racism, racial discrimination, xenophobia and related intolerance.

The Agreement, acknowledging the importance of pluralistic societies, will include a commitment of the Parties to foster inclusive political processes, promote accountable and transparent institutions, and support participatory decision-making and public access to information. It will contain a commitment to promote freedom of expression and media independence as pillars of democracy, and to facilitate, preserve and broaden an open and enabling space for civil society.

The Agreement will include provisions on access to effective and independent justice and legal assistance for all citizens and businesses.

The Agreement will include provisions to support initiatives to tackle corruption, to introduce more transparency and accountability over public funding and in the delivery of public services, to improve revenue collection, to tackle tax evasion and avoidance and to meet global tax governance standards. In this regard, particular attention should be given to the proper use of EU financial external assistance.

The Agreement will include a provision for the Parties to cooperate in developing a reliable and efficient statistical system so as to provide the needed statistics to support and monitor the process of reforms and contribute to sustainable development.

Title II Inclusive sustainable economic development

The Agreement will state that inclusive and sustainable economic growth is crucial to the achievement of the Agenda 2030 on Sustainable Development. It will also acknowledge that full and productive employment and decent work for all are essential for prosperity.

The Agreement will also state that the Parties will work together to create the appropriate conditions for increased investment, enhanced trade and private sector development in all sectors, including agriculture, industry and services.

Economic dialogue

The Agreement will include provisions on economic dialogue, so as to facilitate the process of economic reform by improving the understanding of the fundamentals of the Parties' respective economies. The Parties will agree to exchange information and views on macroeconomic policies and structural reforms and joint analysis of economic issues of mutual interest, including for example fiscal and monetary policy frameworks and the instruments for implementing them.

The Agreement will also include provisions on cooperation on the development and implementation of sound public finance management systems, compatible with the fundamental principles of effectiveness, transparency and accountability.

Investment and private sector development

The Agreement will acknowledge that a crucial objective of the Partnership is that of substantially bolstering the opportunities for EU and ACP citizens and businesses, creating wealth with more and better jobs for all.

The Parties will cooperate to create a favourable economic environment to significantly increase the level of sustainable and responsible investment flows to their mutual advantage. Respecting the competences of the EU and its Member States, the Parties will foster the development of an attractive and stable environment for (two-way) investment, by supporting stable, transparent and open rules for investors, and exploring mechanisms to facilitate investment flows, especially through better conditions for investment, the transfer of capital, technologies and the exchange of information on investment opportunities.

The Parties will support the role of micro-, small- and medium-sized enterprises (MSMEs), as crucial enablers of inclusive economic growth, as well as sustainable development. To this effect, they will cooperate to enable MSMEs from both the EU and in ACP countries effectively integrate into supply and value chains.

The Parties will strengthen cooperation to enhance financial inclusion and access to finance, through the use of a broad spectrum of financial services and innovative financial instruments and mechanisms, including by supporting the development of secure, well-supervised and open financial systems for increased private sector credit.

The Parties will acknowledge that adequate infrastructure – including transport, energy, water, digital connectivity – as well as research and innovation are key enabling factors for sustainable economic growth. They will also increase cooperation on technical and vocational education and training, and link it more effectively to the local labour market and skill needs.

The Parties will reaffirm that private sector and investment activities must respect and promote core labour standards. They will reaffirm the principle of freedom of association and their commitment to promote and effectively implement internationally recognised labour and social standards, as agreed in the ILO and other relevant settings. They will also commit to create more and better jobs that contribute to the economic and social empowerment of youth and of the poorest and most vulnerable, in particular women and girls.

The Parties will ensure the uptake and adherence to the principles of corporate social responsibility and responsible business conduct, including fiscal and environmental responsibility, transparency and accountability, in line with internationally recognised guidelines and principles.

Trade cooperation

The Parties will acknowledge the significance of trade and investment for the overall relations between the ACP and the EU, as well as for the development of the ACP economies. They will agree to foster trade and investment between the Parties, which will enhance their integration into the world economy.

The Parties will renew their commitment to respect their obligations assumed within the framework of the World Trade Organisation (WTO) and to further the objectives of the WTO.

The Parties will take all necessary measures to reap the benefits of the stable and predictable framework provided by the Economic Partnership Agreements (EPAs) – including the possibility for widening and deepening the agreements where appropriate, in line with the *rendez-vous* clauses and upon agreement of the respective Parties – and by other preferential trade regimes.

The Parties will reaffirm that the respect for human rights, democratic principles and the rule of law, the non-proliferation of weapons of mass destruction, as well as good governance, constitute the essential and fundamental elements of the EPAs.

The Parties will agree to promote the involvement of civil society and the private sector, in particular SMEs, in dialogues on trade and trade-related matters, as well as in the implementation of the EPAs.

The Parties will agree to engage in dialogue at appropriate levels (all-ACP, regional and country levels), as well as to cooperate in international fora on trade matters. They will agree on an appropriate institutional framework for such a dialogue.

The Parties will reaffirm their commitment to integrate sustainable development, including its social and environmental dimensions, into all mutual trade relations, and to enhance cooperation and dialogues in these areas.

The Parties will reaffirm their respective commitments under international instruments in the area of trade in services and strengthen dialogue and cooperation at appropriate levels in this area. Where appropriate, they will further reiterate undertakings in specific areas, such as maritime transport and information and communication technologies.

The Parties will equally reaffirm their respective commitments under international agreements and other instruments in trade-related areas, such as intellectual property rights, elimination of non-tariff barriers, effective and sound competition policies including transparency as regards public subsidies, customs and trade facilitation, regulatory harmonisation, standardisation and certification, as well as sanitary and phytosanitary measures, and strengthen cooperation and dialogue at appropriate levels in these areas.

Title III Environment and climate change

The Agreement will acknowledge that environmental degradation and climate change pose a serious threat to the attainment of sustainable development, placing at high risk the (quality of) life of current and future generations, jeopardising peace and stability and economic growth.

The Parties will commit to working together to accelerate progress towards the attainment of the related goals of the 2030 Agenda for Sustainable Development and the implementation of the Paris Agreement on climate change. They will commit to strengthening cooperation and building effective alliances in international settings on relevant issues, in particular climate change, sustainable energy, ocean governance and biodiversity. They will also agree to mainstream environmental sustainability and climate change objectives into all policies, plans and investments, and to strengthen engagement with local governments, civil society organisations, and the private sector.

The Parties will acknowledge that ambitious action on both mitigation and adaptation, including disaster risk reduction, is essential to manage and reduce the negative effects of climate change. To this effect, they will agree to put in place ambitious, quantifiable, and fair mitigation commitments, taking account of different national circumstances and evolving economic realities and capabilities. They will also agree to integrate adaptation plans into

national processes and to share experiences in order to achieve climate-resilient sustainable development.

The Parties will support the conservation and sustainable management and use of natural resources, including land and water, the promotion of circular economy approaches and sustainable consumption and production practices, and the conservation and sustainable management of biodiversity and ecosystems, including forestry and the fight against illegal trafficking of wildlife and timber. To achieve healthy and productive oceans, they will promote the protection and restoration of marine ecosystems and the conservation and sustainable management of ocean resources and sustainable fisheries.

The Parties, in intensifying cooperation, will take into account:

- the vulnerability of small island developing states, especially the threat posed by climate change;
- the exposure of countries to worsening droughts, water scarcity, land degradation and desertification problems;
- the links between disaster risk reduction and adaptation to climate change strategies and activities, as well as their close relation with resilience, climate change mitigation, ecosystem services and food security, and the nexus with displacement, migration and security.

Title IV Peace, security and justice

The Agreement will acknowledge that the promotion of peace, stability, and security, including human security and resilience, is a critical enabling condition for sustainable development and prosperity. It will reiterate that there cannot be sustainable development without peace and security, and without inclusive development there cannot be sustainable peace and security.

The Parties will apply an integrated approach to conflict and crises, including prevention, resolution and reconciliation efforts, addressing also civilian capabilities and military capabilities, as well as their interaction. They will act in close cooperation with continental and regional organisations as well as the UN. They will promote inclusive and participatory mechanisms and structures for dialogue and consensus building, involving local communities and civil society organisations.

The Parties will cooperate to improve the governance of natural resources, including the extractive industries, as to benefit the society as a whole and to prevent that their illegal exploitation and trade contribute to causing and sustaining conflicts.

The Parties will commit to stepping up joint action in preventing and combating international terrorism and violent extremism, in full respect for the rule of law, international law, human rights law, refugee law and international humanitarian law.

The Parties will strengthen their determination to combat all forms of organised crime and illicit trafficking, including of human beings, drugs and hazardous materials.

The Parties will commit to cooperate in preventing the use of their financial systems for the laundering of proceeds from criminal activities (including illicit trafficking and corruption) and for the financing of terrorism.

The Parties will commit to addressing impunity at all levels and in particular for the most serious crimes of international concern. To this effect, they will reaffirm their determination

to take steps to implement the Rome Statute of the International Criminal Court and, as appropriate, related instruments, whilst acknowledging the complementarity of roles between the national criminal jurisdictions and the ICC in achieving justice and reconciliation.

The Parties will reaffirm their commitment to counter the proliferation of weapons of mass destruction and their means of delivery in full compliance with existing obligations under international disarmament and non-proliferation treaties and agreements, and other relevant international obligations. The Parties will agree that this constitutes an essential element of the Agreement.

The Parties will reinforce the fight against the illicit manufacture, transfer, circulation, excessive accumulation, and uncontrolled spread of antipersonnel landmines (APL) and other explosive remnants of war (ERW) as well as small arms and light weapons (SALW). The Parties will also acknowledge the importance of national control systems for arms transfer in line with international standard agreements.

The Parties will commit to the protection of critical infrastructures, the mitigation of Chemical, Biological, Radiological and Nuclear (CBRN) risks of natural, accidental and criminal origin, as well as strengthening civil aviation and maritime security, including through the fight against piracy and armed robbery at sea.

The Parties will commit to strengthen cooperation to promote cyber-security, to prevent and combat high-technology, cyber- and electronic crimes and to improve network security through exchange of information and practical experiences, in compliance with their legislation and international human rights obligations.

The Parties will agree to cooperate to ensure a high level of protection of personal data in accordance with relevant international instruments and standards, including through exchange of information and expertise.

Title V Migration and mobility

The Agreement will recognise that migration and mobility can have a positive impact on sustainable development, when properly managed. It will also acknowledge the increased relevance of south-south and environment-induced migration and mobility, as well as forced displacement.

The Agreement will strengthen the commitment of the Parties to enhance cooperation with a view to maximising the benefits that well-managed migration and mobility can bring – for instance through remittances, increased investment and transfers of knowledge, technology, skills and productive capacity to migrants, their families and societies in countries of origin and destination – as well as minimising its negative effects on development, such as brain drain and other social costs. Further measures may be taken for enabling members of the diaspora and migrant organisations to contribute actively to development in their country of origin.

The Agreement will reaffirm the commitment of the Parties to the fair treatment of third country nationals who reside legally on their territories, to adopt effective integration policies aimed at granting them rights and obligations comparable to those of their citizens, and to develop measures against all forms of discrimination.

The Agreement will strengthen the commitment of the Parties to cooperate in preventing and combating irregular migration, acknowledging that irregular migration impacts negatively on countries of origin, transit and destination and increases the risk for migrants to experience human rights violations and to become victims of trafficking and abuses.

The Agreement will reaffirm the legal obligation of each Party to readmit its own nationals irregularly present on the territory of another Party without conditionality and to ensure the smooth and effective delivery of this commitment. To do so, the Agreement will provide concrete provisions on how to translate this obligation into practice.

The Agreement will also include a commitment by the Parties to ensure that the rights and dignity of individuals are respected in any procedure initiated to return irregular immigrants to their countries of origin. The Parties will agree to strengthen cooperation to facilitate the sustainable reintegration of irregular migrants, in line with the principles of partnership and joint responsibility.

The Agreement will include the determination by the Parties to step up their efforts in preventing and fighting against trafficking in human beings and migrants' smuggling, in promoting and supporting integrated border management, in joint financial investigations, as well as cooperation on criminal prosecution.

The Agreement will include a commitment by the Parties to reinforce the protection of refugees and other displaced persons regardless of their status in accordance with international law, support their integration in host countries, and strengthen capacities of first asylum, transit and destination countries. Particular attention will be paid to migrants in vulnerable situations and to their specific needs.

The Agreement will recognise the importance of adopting a comprehensive, coherent and balanced approach across these multiple and interlinked priority areas, in full respect of humanitarian and human rights obligations. The Parties will seek to maximize the dividends of migration and mobility and apply the necessary leverage by using all relevant policies, instruments and tools to ensure the Parties' mutual commitment and benefit.

Title VI Human development and dignity

The Agreement will reaffirm the commitment of the Parties to work together towards poverty eradication in all its forms, tackle inequalities and promote social cohesion, paying particular attention to the most vulnerable and disadvantaged people, so as to ensure that all human beings fulfil their potentials in dignity and in a healthy environment, and that no-one is left behind.

To this end, the Parties will intensify efforts to accelerate progress towards the attainment of the related goals of the Agenda 2030 for Sustainable Development. Special attention will be paid to those most in need, in particular LDCs and conflict-affected and fragile countries.

The Parties, acknowledging that demographic growth and demographic shifts can have significant impact on development gains and economic progress, will commit to working together to minimise the challenges related to population growth and reap the benefits of a demographic dividend.

Equitable access to social services

The Agreement will promote inclusive and equitable access to quality education at all levels, including technical and vocational training, so as to ensure that everyone acquires the knowledge and skills they need to enjoy a life in dignity and contribute to the well-being of their communities.

The Agreement will allow for a health-in-all-policies approach, tackling the inequalities in access to healthcare and introducing universal health coverage in all countries, building strong

and efficient health systems, and cooperating on topics of common interest, most notably on preventing and addressing communicable and non-communicable diseases.

The Agreement will foster improved access to clean water for all, including through sustainable and integrated water management systems, as well as affordable and adequate shelter for all, through targeted housing programmes and improved urban development plans.

Social protection

The Agreement will acknowledge that social protection policies play a transformative role in society by fostering equity, promoting social inclusion and spurring inclusive economic growth.

To this effect, the Parties will commit to creating employment policies directed towards decent work for all, applying redistributive public policies, adopting inclusive, nationally-owned social protection policies and programmes, including minimum social protection floors, so as to ensure that the fruits of growth are widely and equitably shared and poverty is eradicated by 2030.

Gender equality

The Agreement will reaffirm that equality between women and men, girls and boys is crucial for sustainable development, having a multiplier effect in achieving poverty eradication, reaching sustainable population growth, enhancing prosperity and unlocking the development of democratic societies based on human rights, social justice and sustainability.

The Parties will promote the protection and fulfilment of women's and girls' rights and their empowerment, including on matters related to their sexual and reproductive health, and will cooperate to eliminate all forms of sexual and gender-based discrimination and violence.

The Parties will ensure that the gender perspective is systematically mainstreamed across all policies as a key contribution to the successful achievement of the Sustainable Development Goals.

Resilience

The Agreement will contain provisions to strengthen resilience, particularly of vulnerable populations, in the face of environmental and economic shocks, natural and man-made disasters, conflicts and global threats to health, including antimicrobial resistance. The Parties will systematically integrate risk assessment and resilience in their action, ensuring that individuals, communities, institutions and countries can better prepare for, withstand, adapt to, and quickly recover from stresses and shocks without compromising long-term development prospects.

Culture and mutual understanding

The Agreement will include a commitment by the Parties to foster inter-cultural dialogue and cultural cooperation that duly respects their diversity while acknowledging universal values, with a view to enhancing mutual understanding between their people and the knowledge of their respective cultures as well as preventing violent radicalisation.

PART 3 INTERNATIONAL COOPERATION

The Agreement will affirm that the Parties are committed to a global order based on international law and with multilateralism as its key principle, and the UN at its core, in view of anchoring peace and justice, prosperity, sustainable development and lasting protection of global commons.

This commitment will translate into a determination to reform and strengthen multilateral institutions so as to enhance their effectiveness, accountability and representativeness. Equally, it will serve to promote and support the rule of law and justice at the international level, and ensure that all Parties take the necessary steps to the ratification, implementation and domestication of key international treaties and conventions.

The Agreement will significantly strengthen the commitment of the Parties to join forces in areas in which the Partnership could provide a substantial added value to drive forward global action. The Parties will agree to identify on a regular basis, at both political and operational levels, common ground on a series of strategic themes so as to facilitate timely and coordinated action, including on voting, in relevant international fora and initiatives. Specifically, they will rely on ministerial meetings and will agree to use or to establish appropriate coordination mechanisms to best cooperate in the context of the United Nations, the World Trade Organisation and, wherever possible, other international institutions.

The Agreement will establish that the Parties may actively seek to closely cooperate and forge strategic alliances with third countries and/or groupings that share their values and interests, with a view to boosting their diplomatic clout in international settings.

3. EU-AFRICA COMPACT

Part 1 BASIS FOR COOPERATION

The Agreement will state that the EU-Africa Partnership consists of the general objectives, principles, and commitments laid down in the General Part of this Agreement, and by the specific objectives and commitments set out in this Protocol.

The Agreement will deepen existing relations between the European Union and Africa and establish a mutually beneficial political partnership, allowing to deliver on the Agenda 2030 for Sustainable Development and on key interests of each of the Parties.

More specifically, the Parties will take concrete measures to:

- build peaceful and resilient societies and address demographic and mobility dynamics to meet the legitimate ambitions of current and future European and African generations;
- fight climate change and ensure fair access to and the sustainable management of natural resources so as to unlock untapped economic opportunities, preserve biodiversity and prevent any illicit use, including for sustaining conflicts.
- achieve gender equality, support youth aspirations and counter any form of discrimination and marginalisation that could be conducive to violent extremism;
- bolster public and private investment and create decent jobs for all;
- tackle inequalities and promote social protection with a view to eradicate poverty and address the negative effects of protracted humanitarian crises;

The Agreement will replace and upgrade the Joint Africa-EU Strategy (JAES). It will also refer to key documents for both Parties, notably Africa's Agenda 2063, the Global Strategy for the European Union's Foreign and Security Policy and the European Consensus on Development.

The Agreement will contain a commitment by the Parties to implement the EU-Africa Compact through successive Action Plans at national, regional and continental levels. The Agreement will introduce a system to monitor progress, using dialogue at all levels, based on clear indicators and measurable outcomes, so as to ensure that implementation is on track.

The Agreement will recognise the special links between the EU's Outermost Regions (ORs) and the Overseas Countries and Territories (OCTs) and many African countries.

The Agreement will state that the Parties may review the Protocol on a regular basis and as appropriate, with a view to adapting it to changing circumstances.

Part 2 STRATEGIC PRIORITIES

Title I Peace and security

The Agreement will reiterate the commitment of the Parties to promote peace through deepened security partnerships at national, regional and continental levels, so as to achieve stability and prosperity in Africa and harness any negative spill-overs on Europe.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on peace and security,

- intensify cooperation, coordination and dialogue, from prevention and early warning to lasting peace-building through crisis management and stabilisation;
- target key drivers of instability, including access to land and natural resources, disputed borders, food and water security, and forced displacement of people;
- ensure that war crimes and human rights abuses, including the recruitment of child soldiers and gender-based violence, do not go unpunished;
- ensure that the African Peace and Security Architecture (APSA) becomes fully operational, through enhanced efforts of AU and RECs members towards the financial sustainability of all peace and security efforts on the continent and by making EU instruments better adapted to support the requisite operational activities and related capacity building needs;

on terrorism and organised crime,

- combat terrorism in all its forms, addressing those factors that may create an environment conducive to radicalisation and recruitment;
- fight organised crime and all forms of illicit trafficking (e.g. human beings, weapons, drugs, hazardous material, wildlife, cultural goods);
- enhance maritime security, including addressing acts of piracy and armed robbery at sea.

Title II Human rights and democratic governance

The Agreement will fortify the determination of the Parties to promote and strengthen democracy, promote and protect human rights, and ensure accountable, transparent and inclusive governance, with adequate space for citizens and civil society groups to express their aspirations towards shaping policies.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on human rights, fundamental freedoms, and democracy,

- ensure that the African Charter on Human and Peoples' Rights and the African Charter on Democracy, Elections and Governance are fully implemented;
- apply in full the principle of non-discrimination with regard to ethnicity, gender, age, disability, religion or beliefs, sexual orientation, prioritising efforts to rescind discriminatory laws;
- foster dialogue and cooperation on the abolition of the death penalty and combat torture and ill-treatment in all its forms;
- ensure credible, transparent and inclusive elections, respecting electoral cycles and constitutional provisions;
- support the legislative, budgetary and oversight prerogatives of elected national Parliaments;

- promote pluralistic societies and preserve and broaden the space for civil society institutions in advocacy and policy shaping;

on the rule of law, justice, and good governance,

- build inclusive, accountable and transparent public institutions, including the wider use of eGovernment solutions;
- combat corruption and put legislation in place to curtail illicit financial flows, fraud and organised crime;
- cooperate in preventing the use of financial systems, institutions, and designated non-financial businesses and professions for the laundering of proceeds from criminal activities (including illicit trafficking and corruption) and for the financing of terrorism in line with international standards.
- ensure sustainable management of natural resource revenues and adopt reforms to ensure fair, just and sustainable tax policies;
- promote access to justice and, in particular, the independence of the judiciary for fair and timely justice delivery;
- tackle tax fraud, tax evasion and aggressive tax planning, paying particular attention to increasing tax transparency, exchange of information and fair tax competition, in line with relevant international standards and frameworks;

Title III Inclusive sustainable economic development

The Agreement will strengthen economic and trade relations between the Parties, improve macroeconomic and financial stability, bolster investment and business opportunities – including through the EU’s External Investment Plan (EIP) – and support the transition towards full and quality employment, respect for and protection of core labour standards, and environmental sustainability. It will strengthen private sector development in all sectors, including agriculture, industry and services.

Key vectors for investment and private sector development

The Agreement will include provisions to tackle crucial bottlenecks that require public intervention – in addition to structural investment in infrastructures (e.g. energy, transport, technologies, digital connectivity) and research and innovation – so as to create a business environment more conducive to greater flows of investment and private sector development.

To this effect, the Parties will take concrete measures, *inter alia*, to:

- create an enabling regulatory environment, paying particular attention to the protection of land and property rights, sound competition policies and transparency as regards public subsidies, intellectual property and investment, the reduction of red tape through lowering costs for certifications, licenses and access to finance;
- provide companies, in particular MSMEs, with easily accessible and adequate information and facilitated administrative procedures on how to expand their business in Africa and in the EU;

- make more strategic use of public finance, including blending instruments to crowd in additional public and private investment;
- increase domestic access to finance, especially for MSMEs, including through financial system reforms to develop viable banking and non-banking systems, innovative financing mechanisms, and microcredit schemes;
- develop and strengthen digital financial services, including mobile banking systems, including through enhanced collaboration on the implementation of international standards and ensuring open markets, consumer protection and increased access to mobile services;
- strengthen more demand-driven Technical and Vocational Education and Training (TVET) systems, adapted to the needs and opportunities of local and regional labour markets.

Key sectors for investment and private sector development

The Agreement will state that the focus will be on the following strategic sectors which are expected to have a high multiplier effect towards inclusive and sustainable economic development and job creation.

To this effect, the Parties will take concrete measures, *inter alia*, to,

on agriculture,

- boost and diversify agricultural production, including through improved access to finance and markets and elimination of incentives that generate unsustainable production systems;
- strengthen the position of agricultural producers and exporters in global value chains, including through the removal of technical barriers to trade, the building of capacity in the area of sanitary and phytosanitary standards, and the promotion of fair trade schemes;
- ensure the registration and protection of geographical indications (GIs) for African and European agricultural and food products and undertake actions to support local communities to take full advantage of GIs to move up regional and global value chains;

on fisheries and aquaculture,

- conclude and/or renew sustainable fisheries partnership agreements (SFPAs), ensuring sustainability of fish resources and promotion of best practices in fisheries management;
- fight illegal, unreported and unregulated (IUU) fishing and support the development of sustainable fisheries management;
- develop sustainable aquaculture, through simplification of licensing procedures, effective spatial planning for maximum efficiency and sustainability, and enhanced level playing field for national and foreign investors;

on sustainable energy,

- contribute to universal energy access and productive energy use for all economic players, including by bolstering investments in generation, transmission, distribution and energy efficiency and by facilitating open, transparent and functioning energy markets that drive investments, mutually beneficial technology transfer, research and innovation;
- create and reinforce effective energy interconnections within Africa and between Europe and Africa to ensure reliable and affordable energy supply, and pursue the objectives of the European Energy Union
- scale up public and private finance for renewable energy and energy efficiency efforts, paying particular attention to the successful implementation of relevant national and regional energy initiatives, including the African Renewable Energy Initiative (AREI).

on green economy

- promote the transition to a low carbon, resource efficient and circular economy, including through supporting sustainable consumption and production approaches and measures on waste prevention and environmentally sound waste management
- enhance knowledge and capacity on policy options and best practices to improve resource efficiency along the entire life-cycle of natural resources and products

on extractive commodities,

- ensure fair, sustainable and undistorted access to the extractive sector, including seabed mining, for all economic players, fully respecting the sovereignty of each country over its natural resources and promoting sustainable management;
- achieve greater transparency and accountability in the management of the extractive industries, including through the promotion of the Extractive Industry Transparency Initiative and implementation of other relevant initiatives on responsible sourcing of minerals originating from conflict-affected areas;
- strengthen corporate social responsibility and responsible business conduct throughout the entire value chain, including through the development and/or full implementation of relevant legislation, taking into account international standards;

on transport and infrastructures,

- upgrade land transport in Africa so as to facilitate the movement of goods and people, guaranteeing increased transparency and competition in infrastructure planning and implementation;
- ensure competitive provision of maritime transport services, including unrestricted access to ports;
- strengthen relations in the aviation sector with a view to bolstering investment opportunities, broadening and deepening regulatory cooperation, and enhancing safety and security;

- ensure affordable, inclusive and reliable digital connectivity, supported by an enabling regulatory environment and promote the use of the European global navigation satellite system (Galileo) and satellite-based augmentation system (EGNOS), with a focus on issues of mutual interests;

on technologies and innovation,

- develop and strengthen the digital economy, electronic communications, trust services and protection of personal data, eCommerce and eGovernment, ensuring the development and use of international standards, open data and markets, consumer protection and increased access to digital services;
- ensure access to digital technologies and services for all economic players and citizens, including the creation of favourable policy and regulatory framework to enable digital entrepreneurship, cross border investments and promote digital skills and literacy.
- foster research and development activities aimed at encouraging scientific progress and the transfer of technology and know-how;
- support innovation adapted to local needs, economic diversification and the transition towards more knowledge-based economies.

Trade cooperation

The Agreement will aim to foster trade and investment opportunities between the Parties for the benefit of inclusive and sustainable development.

To this effect, the Parties will take concrete measures, *inter alia*, to:

- ensure that the framework conditions and the right domestic policies are in place to facilitate increased trade flows conducive to inclusive growth and sustainable development, including through strengthened production capacities and entrepreneurship and increased investments in value-adding and labour intensive sectors and insertion into global and regional value chains;
- strengthen mechanisms, procedures and institutions to enhance capacity to establish and implement trade policies, as well as to enable private sector to take advantage of such policies and the increased opportunities;
- build upon, foster and support regional integration processes, including trade facilitation and regulatory harmonisation, so as to help countries take greater advantage of trading with their neighbours, and to contribute to fostering regional stability, cohesion and prosperity;
- support preparations for Africa's Continental Free Trade Area (CFTA);

Title IV Human development and dignity

The Agreement will reaffirm the determination of the Parties to eradicate poverty in all its forms by 2030, effectively tackle inequality and achieve gender equality, and create the conditions for an effective participation of people in democratic life and an active contribution to sustainable economic growth.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on education,

- ensure that all girls and boys have access to quality early childhood development, care and pre-primary education and reach the objective that all girls and boys complete free, equitable and quality primary and secondary education, through strengthened national education systems at all levels;
- reinforce enrolments and quality in tertiary education and ensure the constitution of a critical mass of skilled innovation workers and educated young people, including the development of digital skills and literacy and the use of digital technologies;
- bolster opportunities for collaborative research cooperation in the area of science, technology and research in pursuit of mutually beneficial scientific excellence;

on health,

- achieve universal health coverage and equitable access to health services through strengthened national health systems at all levels;
- ensure sexual and reproductive health and rights (SRHR) including universal access to quality and affordable comprehensive sexual and reproductive healthcare, education, information, and services;
- support access to medicines and vaccines, towards meeting the target of safe, affordable, and essential medicines and vaccines for all;
- strengthen the capacity of African countries for early warning, risk reduction and management of national and global health risks, including in the area of animal and plant health;
- promote measures to reduce non-communicable diseases and their risk factors thereby preventing avoidable illness and the associated societal burden, focussing on children and vulnerable groups;
- promote sharing of knowledge, experiences and best practices between countries;
- take measures to implement global health treaties.

on social protection,

- adopt policies in support of attaining and sustaining income growth of the bottom 40% of the population at a rate higher than the national average;
- extend social protection coverage, through basic income security and adequate and shock- responsive social protection schemes;
- create more inclusive and well-functioning labour markets and employment policies directed towards decent work for all, including facilitating a smoother transition from the informal to the formal economy;

on gender equality,

- ensure that all sign, ratify and fully implement the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and its additional protocol on women rights;
- ensure girls' and women's physical and psychological integrity, by eliminating all forms of gender-based violence, including female genital mutilation and cutting (FGM/C) and other harmful traditional practices, ending child and forced marriages;
- ensure that girls' and women's social rights are respected and promoted, notably in the area of education and health, acknowledging women's critical role for the realisation of the demographic dividend;
- strengthen girls' and women's voice and participation in political life and in peace processes and mediation efforts;
- reinforce the economic rights of women, facilitating their access to financial services, the control and use of land and other productive assets, and supporting women entrepreneurs;

on youth,

- step up assistance to youth to acquire labour market-relevant skills through education, vocational training, access to digital technologies;
- promote the creation of sustainable jobs with decent working conditions and counter the insulation of violent radicalisation;
- promote youth empowerment and responsible citizenship, by opening spaces for their active participation in all levels of societies, and support initiatives of inter-cultural dialogue among youth organisations;

on food security,

- ensure that all are able to access sufficient, affordable, safe and nutritious food, with a view to eradicating famines and other types of food crises;
- enhance coordination between development and humanitarian action so as to better anticipate, prevent and prepare for food crises, ensure timely action for making food available locally, and address the root causes of excessive price volatility;
- mitigate the exposure of the most vulnerable populations through strengthened social safety nets;
- ensure that the commitments on fighting all forms of under-nutrition are implemented and that special attention is paid to populations suffering from undernutrition where institutional capacity is weak and frequent disasters or conflict have a devastating effect on the most vulnerable groups as it is the case in fragile countries;
- prevent the rise of non-communicable diseases by supporting healthy diets and healthy lifestyles.

on water security,

- ensure access to safe and sufficient drinking water at an affordable cost in order to meet basic needs, including sanitation and hygiene, and safeguard health and levels of well-being;

- ensure efficient water supplies for socio-economic development and activities and preserve and protect ecosystems in water allocation and management systems;
- promote cooperation for transboundary water resources management with a view to achieving freshwater sustainability, coping with uncertainties of water-related hazards (e.g. floods, droughts and pollution), and preventing the risks of conflicts;

on cultural cooperation,

- strengthen cultural and creative industries;
- foster cultural exchanges and carry out joint initiatives in various cultural spheres;
- promote enhancement of tangible and intangible cultural heritage as well as the diversity of cultural expressions.

Title V Mobility and migration

The Agreement, building on existing initiatives (e.g. European Agenda for Migration, the Partnership Framework, Rabat and Khartoum processes; Valletta Summit), will acknowledge that African and European interests on migration are intertwined and that when properly addressed, including through effective mechanisms for return and readmission of irregular migrants, migration and mobility contribute to economic growth and flow of competencies and knowledge.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on legal migration,

- increase brain circulation through enhanced mobility schemes for students, researchers, and professionals;
- facilitate short-term visits within the existing legal framework, for business and investment purposes;
- work towards an effective management of labour migration, including through the portability and recognition of skills and qualifications, appropriate social protection and the fight against all forms of exploitation;

on irregular migration,

- enhance cooperation on border management, improve intelligence gathering and sharing, and foster police and judicial cooperation;
- confirm the legal commitment of the Parties to readmit their nationals irregularly present on the territory of another Party at the latter's request and without conditionality, and set-up a mechanism to ensure that this obligation is effectively fulfilled, and to facilitate its implementation. To this end, the Parties commit to responding swiftly to readmission requests (for instance through identification of their nationals, issuance of travel documentation for return or acceptance of the EU travel document for return, timely response on formalities of return operations)

- The Parties will also develop and enact legislation in compliance with the United Nations Convention against Transnational Organized Crime (UNTOC Convention) and its supplementing Protocols (the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children), as the primary international legal instruments to combat migrant smuggling and trafficking in human beings;
- launch awareness campaigns among potential migrants on the risks related to irregular migration;
- intensify action against networks of smugglers and traffickers through improved information-sharing systems, investigations and criminal prosecutions;

on other migration-related issues

- reduce to less than 3 percent the transaction costs of migrant remittances, eliminate remittances corridors with costs higher than 5 percent, and improve regulatory frameworks for enhanced involvement of non-traditional players, including through the use of new technologies;
- encourage diaspora engagement in countries of origin, boosting local economic development;
- ensure that south-south migration (between and within African countries) is adequately addressed in national and regional development agendas;
- secure the highest possible level of protection of and assistance to forcibly displaced persons, including refugees, asylum seekers and internally displaced persons, based on the principle of responsibility sharing and in full compliance with international law.

Title VI Climate change and environmental sustainability

The Agreement will reaffirm that ambitious action on mitigation and adaptation is essential to manage and reduce the risks of climate change and, more generally, that the protection and improvement of the quality of the environment is the vital basis for the development of current and future generations.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on climate action,

- accelerate implementation of the Paris Agreement on climate change through National Determined Contributions (NDCs) and National Adaptation Plans;
- make existing finance flows and explore innovative financing consistent with a pathway towards low greenhouse gas emissions and climate-resilient development;
- build and/or strengthen scientific and technical human and institutional capacity for climate and environmental management and monitoring, including through the use of Earth observation technologies and information systems such as Copernicus;

- develop and/or strengthen green and sustainable blue growth in key economic sectors;

on biodiversity and ecosystems,

- promote the conservation, sustainable use, and restoration of ecosystems, notably in the Congo Basin, so as to enable development of countries, livelihood for local population and ecosystem services locally and globally;
- protect wildlife and increase public awareness about wildlife protection and trafficking at all levels, paying particular attention to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and other relevant international frameworks;
- preserve coastal and marine areas and reduce marine debris, including through the promotion of waste prevention policies and scale-up ocean clean-up operations;
- strengthen the involvement of local communities in the conservation of ecosystems, prioritizing the creation of jobs and other economic opportunities, including through the promotion of environment-friendly and sustainable tourism;

on drought, desertification and land degradation,

- promote integrated approaches to tackle drought, land degradation and desertification, including through ensuring sustainable and equitable land rights and tenure, sustainable land, water and forest resources management, and creating sustainable economic opportunities for people in rural areas;
- accelerate progress towards the implementation of the UN Convention to Combat Desertification (UNCCD)'s National Action Plans (NAPs) and other relevant international and regional initiatives, including the Great Green Wall initiative;
- mobilize additional resources to combat desertification and land degradation and strengthen the involvement of local communities;

on forestry,

- promote forest law enforcement, governance and trade (FLEGT), including by concluding and/or implementing Voluntary Partnership Agreements (VPAs), and strengthen coherence and positive interactions at country level between FLEGT and the UN programme on Reducing Emissions from Deforestation and Forest Degradation (REDD+);
- combat illegal logging, trade of illegal timber and wood products, increase public awareness about deforestation at all levels, and encourage the consumption of resource- and energy-efficient products from sustainably managed forests;
- strengthen the involvement of local communities in forest protection, prioritizing the creation of jobs and other economic opportunities in the conservation of ecosystems;

on sustainable urbanisation,

- create an enabling legal and political environment for sustainable urban development in accordance with the UN's New Urban Agenda, by actively engaging local authorities, paying particular attention to transparent and regulated land acquisitions and property rights;
- enhance capacity-building and engage in environmental awareness-raising campaigns;
- build sustainable energy and urban mobility solutions, supported by adequate finance at domestic and international level, including through public-private partnerships;
- improve management of waste and of all hazardous substances and address all forms of pollution;
- promote nature-based solutions to enhance resilience in urban areas.

4. EU-CARIBBEAN COMPACT

Part 1 BASIS FOR COOPERATION

The Agreement will state that the EU-Caribbean Partnership consists of the general objectives, principles, and commitments laid down in the General Part of this Agreement, and by the specific objectives and commitments set out in this Protocol.

The Agreement will deepen existing relations between the European Union and the Caribbean region and establish a mutually beneficial political partnership, allowing to deliver on the Agenda 2030 for Sustainable Development and on key interests of each of the Parties.

More specifically, the Parties will take concrete measures, *inter alia*, to:

- tackle climate change and ensure effective access to and sustainable management of natural resources so as to generate sustained social and economic development;
- bolster public and private investment and create decent jobs for all;
- build safe and inclusive societies, achieving gender equality and providing viable alternatives for youth, supported by efficient social protection policies;
- secure compliance with global norms on corruption, organised crime and tax governance.

The Agreement will build on and replace the Joint Caribbean-EU Partnership Strategy.

The Agreement will recognise the close links the EU's Outermost Regions (ORs) and the Overseas Countries and Territories (OCTs) have with the Caribbean countries and their role in regional integration.

The Agreement will contain a commitment by the Parties to implement the EU-Caribbean Protocol through successive Action Plans at national and regional levels.

The Agreement will introduce a system to monitor progress, using political dialogue at all levels, based on clear indicators and measurable outcomes, so as to ensure that implementation is on track.

The Agreement will state that the Parties may review the Protocol on a regular basis and as appropriate, with a view to adapting it to changing circumstances.

Part 2 STRATEGIC PRIORITIES

Title I Climate change and sustainable management of natural resources

The Agreement will reaffirm that ambitious action on mitigation and adaptation is essential to manage and reduce the risks of climate change and, more generally, that the protection and improvement of the quality of the environment is the vital basis for the development of current and future generations.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on climate action,

- accelerate implementation of the Paris Agreement on climate change, through National Determined Contributions (NDCs) and National Adaptation Plans;
- make existing finance flows and explore innovative financing tools consistent with a pathway towards low greenhouse gas emissions and climate-resilient development;
- build and/or strengthen scientific and technical human and institutional capacity for climate and environmental management and monitoring, including through the use of Earth observation technologies and information systems;
- develop and/or strengthen green and sustainable blue growth in key economic sectors;

on environmental sustainability,

- support the conservation, sustainable management, and restoration of ecosystems, so as to enable development of countries, livelihood for local population and ecosystem services locally and globally;
- halt deforestation and ensure the sustainable management of forests;
- promote sustainable water management;
- improve management of waste – including through efficient collection systems and effective recycling – and all hazardous substances;

on ocean governance,

- preserve coastal and marine ecosystems, prioritising the sustainable development of the fisheries and tourism sector in the context of blue growth strategies;
- fight illegal, unreported and unregulated (IUU) fishing and support the development of sustainable fisheries management;
- reduce marine debris, targeting the root causes of marine litter, including through waste prevention policies and scale-up ocean clean-up operations, paying particular attention to accumulation zones in ocean gyres;
- strengthen national and regional capacities to responsibly and accountably manage oceanic and coastal resources;
- promote the valorisation of marine and coastal natural capital

on disaster risk management,

- increase monitoring, early-warning and risk assessment capacities improving prevention, mitigation, preparedness, response and recovery measures at the domestic level in order to increase the resilience of their societies and infrastructure in line with the priorities of the Sendai Framework;
- strengthen regional disaster and emergency response capacity, including civil protection mechanisms;
- foster cooperation through the use of space technologies and information;

- ensure local ownership by involving affected communities, civil society, and local authorities in devising and implementing policy responses, paying attention to the most vulnerable households and marginalised groups.

Title II: Inclusive and sustainable economic development

The Agreement will strengthen economic and trade relations between the Parties, improve macroeconomic and financial stability, bolster investment and business opportunities, and support the transition towards full and quality employment, respect and protection of core labour standards, and environmental sustainability. It will strengthen private sector development in all sectors, including agriculture, industry and services

Key vectors for investment and private sector development

The Agreement will include provisions to tackle crucial bottlenecks that require public intervention – in addition to structural investment in infrastructures (e.g. energy, transport, digital connectivity) – as well as research and innovation so as to create a business environment more conducive to greater flows of investment and private sector development.

To this effect, the Parties will commit *inter alia*, to:

- create an enabling legal environment, paying particular attention to the protection of land and property rights, intellectual property and investment, the reduction of red tape through lowering costs for certifications, licenses and access to finance, sound competition policies including transparency as regards public subsidies, and the adoption of effective and predictable tax systems;
- provide investors with easily accessible and adequate information on how to expand their business in the Caribbean, facilitating administrative procedures for setting up business;
- make more strategic use of public finance, including blending instruments to crowd in additional public and private investment;
- increase domestic access to finance, including through financial system reforms to develop viable banking and non-banking systems and innovative financing mechanisms and schemes;
- develop and strengthen digital financial services, including mobile banking systems, including through enhanced collaboration on the implementation of international standards and ensuring open markets, consumer protection and increased access to mobile services;
- strengthen more demand-driven Technical and Vocational Education and Training (TVET) systems, adapted to the needs and opportunities of local and regional labour markets.

Key sectors for investment and private sector development

The Parties will focus, *inter alia*, on the following strategic sectors which are expected to have a high multiplier effect towards inclusive and sustainable economic development and job creation, ensuring that economic growth goes hand in hand with environmental sustainability.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on green economy

- promote the transition to a low carbon, resource efficient and circular economy, including through supporting sustainable consumption and production approaches and measures on waste prevention and environmentally sound waste management
- enhance knowledge and capacity on policy options and best practices to improve resource efficiency along the entire life-cycle of natural resources and products

on sustainable blue growth,

- conclude and/or renew sustainable fisheries partnership agreements (SFPAs), ensuring sustainability of fish resources, promotion of best practices in fisheries management, and increased capacity for the processing of fisheries products;
- develop sustainable aquaculture, through simplification of licensing procedures, effective spatial planning for maximum efficiency and sustainability, and enhanced level playing field for investors;
- ensure fair, sustainable and undistorted access to extractive sectors, including seabed mining, for all economic players, taking into account sustainability concerns, as well as achieve greater transparency and accountability including through the promotion of the Extractive Industry Transparency Initiative and implementation of other relevant initiatives;
- ensure unrestricted access to international maritime markets and trade, including ports, based on fair competition and on a commercial basis;

on sustainable energy,

- contribute to universal energy access and reliable and affordable sustainable energy supply for all economic players, and bolster investments including in renewable energy generation, transmission, distribution and energy efficiency while addressing detrimental market distortions;
- scale up public and private finance for renewable energy and energy efficiency as well as the development and uptake of clean, diverse and sustainable energy technologies, including renewable and low-emission energy technologies;

on tourism,

- bolster investment in the tourist sector, through facilitated marketing and promotion strategies, professional training and the uptake of digital technologies;
- strengthen linkages between the tourism sector and other relevant economic sectors, in particular agriculture and fisheries, paying particular attention to environmental protection as well as agro- and maritime tourism;
- mainstreaming sustainable use and conservation of biodiversity in tourism policy planning and development;
- promote sustainable, responsible and high-quality tourism, which respects the integrity and interests of local communities;

on connecting people and places,

- build quality and sustainable infrastructure systems so as to facilitate the movement of goods and people, promoting sound environmentally practices in compliance with established international conventions and agreements;
- ensure access to Information and Communication Technologies markets (e.g. telecommunications, internet) for all economic players, including through the creation of favourable legislative frameworks and the support of targeted investments, and provide for affordable usages of digital technologies for people and businesses;
- promote cultural exchanges and carry out joint initiatives in various cultural spheres including the joint organisation of cultural events;
- enhance cooperation and integration with the EU's Outermost Regions (ORs) and Overseas Countries and Territories (OCTs).
- foster and support regional integration processes within the Caribbean as well as with Latin America;

Trade cooperation

The Agreement will aim to foster trade and investment opportunities between the Parties for the benefit of inclusive and sustainable development.

To this effect, the Parties will commit *inter alia* to:

- strengthen mechanisms and procedures and enhance capacity, within the agreed trade arrangements;
- ensure that the framework conditions and the right domestic policies are in place to facilitate increased trade flows conducive to inclusive growth and sustainable development, job creation, economic diversification and industrialisation, including through strengthened production capacities and entrepreneurship and increased investments in value-adding and labour intensive sectors and insertion into global and regional value chains;
- strengthen mechanisms, procedures and institutions to enhance capacity to establish and implement trade policies, as well as to enable private sector to take advantage of such policies and the increased opportunities;
- build upon, foster and support regional integration processes, including trade facilitation and regulatory harmonisation, so as to help countries take greater advantage of trading with their neighbours, and to contribute to fostering regional stability, cohesion and prosperity.

Title III: Human security, human rights, and good governance

The Agreement will reiterate that resilient societies – with accountable, democratic, effective, transparent institutions, where human rights and fundamental freedoms are fully protected and adequate space is guaranteed to citizens and groups to express their aspirations and shapes policies – are best prepared to adapt, respond to and properly manage changes domestically and in the external environment.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on crime and citizen security,

- combat the production, trafficking and consumption of illicit drugs with a special focus on demand-side, prevention and education;
- improving the management of migration flows and address trafficking in human beings, forced displacement and the smuggling of migrants, small arms and light weapons and other conventional weapons, strategic trade control of dual-use items, through enhanced border control management, trans-border intelligence, information sharing, and the exchange of experts and technical assistance;
- address gang violence with a comprehensive, root causes-based and preventive approach, addressing those factors that may create an environment conducive to radicalisation;
- cooperate in preventing the use of financial systems, institutions, and designated non-financial businesses and professions for the laundering of proceeds from criminal activities (including illicit trafficking and corruption) and for the financing of terrorism in line with international standards;

on human rights and justice,

- apply in full the non-discrimination principle in regard with ethnicity, gender, age, disability, religion or beliefs, sexual orientation, putting a priority at rescinding discriminating laws;
- foster dialogue and cooperation on the abolition of the death penalty and combat torture and ill-treatment, as well as misbehaviour by security forces;
- end domestic violence, sexual and work exploitation, promote the rights of children, ending child labour, child abuse and corporal punishment, combat trafficking in human beings and all forms of exploitation for profits, in both legal and illegal economies;
- strengthen institutions and rule of law, ensuring fair access to justice, independency and accountability of the judiciary, capacity building of justice administrations, and end backlogs and excessive pre-trial detention;
- improve prison conditions, implement social rehabilitation programmes in view of social re-integration of inmates, and tackle social and security problems created by the deportation of criminals from third countries.

on good governance and tax matters,

- promote good governance including sound public finance management, transparency and accountability;
- establish new mechanisms and strengthen existing ones against corruption, bribery and white collar crime including money laundering;
- tackle tax fraud, tax evasion and aggressive tax planning, paying particular attention to increasing tax transparency, exchange of information and fair tax competition, in line with relevant international standards and frameworks;
- intensify political dialogue with non-cooperative tax jurisdictions with a view to meeting global tax governance standards.

Title IV: Human development and social cohesion

The Agreement will reaffirm the determination of the Parties to eradicate poverty in all its forms by 2030, effectively tackle inequality and achieve gender equality, and create the conditions for an effective participation of people in democratic life and an active contribution to sustainable economic growth. It will also acknowledge social protection as a fundamental investment for poverty eradication and fighting inequality, and as an important mean to create a self-strengthening cycle towards inclusive and sustainable economic development, by reinvesting economic gains more broadly into society and people.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on human development,

- ensure that all girls and boys complete free, equitable and quality pre-primary, primary and secondary education and that enrolments in tertiary education are significantly improved;
- achieve universal health coverage and equitable access to health services, including sexual and reproductive health and rights (SRHR), through strengthened national health systems at all levels and enhance capacity for early warning, risk reduction and management of national and global health risks, take measures to implement global health treaties;
- ensure access to safe and sufficient drinking water at an affordable cost in order to meet basic needs, including sanitation and hygiene, and safeguard health and levels of well-being;
- ensure that all are able to access sufficient, affordable, safe and nutritious food;
- prevent the rise of non-communicable diseases by supporting healthy diets and healthy lifestyles;
- address the challenges posed by environmentally-induced forced displacement and its impact on migrants and their communities;
- adopt targeted policies and appropriate investment to promote young people's rights, facilitate their engagement in social, civic and economic life;

on social protection,

- adopt policies in support of attaining and sustaining income growth of the bottom 40% of the population at a rate higher than the national average;
- extend social protection coverage, through basic income security, adequate and shock- responsive social protection schemes;
- create more inclusive and well-functioning labour markets and employment policies directed towards decent work for all, including enhancing the health and safety conditions for workers;
- address issues related to the informal economy, including access to credit and micro-finance and strengthened social protection measures, with a view to facilitating a smoother transition to the formal economy;

on gender equality,

- ensure that all sign, ratify and fully implement the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and its additional protocol on women rights;
- ensure girls' and women's physical and psychological integrity, by eliminating all forms of gender-based violence, including trafficking in human beings and ending child and forced marriages;
- ensure that girls' and women's social rights are respected and promoted, notably in the area of health and education;
- strengthen girls' and women's voice and participation in political life through enhanced presence of women in electoral, policy, and governance processes, in peace processes and mediation efforts, and by empowering girls and women's organisations;
- reinforce the economic rights of women, facilitating their access to financial services, the control and use of land and other productive assets, and supporting women entrepreneurs.

Support to Haiti

The Agreement, acknowledging the special situation of Haiti as the only LDC in the region, will commit to sustained cooperation to address the structural weaknesses of the country while supporting all the above mentioned objectives including the consolidation of state institutions, improving overall governance, rule of law and human rights, fighting corruption and collusion and reducing poverty and social inequalities.

5. EU-PACIFIC COMPACT

Part 1 BASIS FOR COOPERATION

The Agreement will state that the EU-Pacific Partnership consists of the general objectives, principles, and commitments laid down in the General Part of this Agreement, and by the specific objectives and commitments set out in this Protocol.

The Agreement will deepen existing relations between the European Union and the Pacific region and establish a mutually beneficial political partnership, allowing delivering on the Agenda 2030 for Sustainable Development and on key interests of each of the Parties.

More specifically, the Parties will take concrete measures, *inter alia*, to:

- ensure sustainable access and management of natural resources and improve resilience to impacts of climate change and natural disasters affecting sustained economic and social development;
- bolster public and private investment and create decent jobs for all;
- build inclusive and secure societies, by supporting reconciliation processes, achieving gender equality, and stepping up efforts on human development and social protection policies;
- secure compliance with international norms on corruption, tax governance, and organised crime.

The Agreement will build on and replace the EU's Strategy for the Pacific Islands.

The Agreement will recognise the close links the EU's Overseas Countries and Territories (OCTs) have with Pacific countries and their role in regional integration.

The Agreement will contain a commitment by the Parties to implement the EU-Pacific Protocol through successive Action Plans at national and regional levels.

The Agreement will introduce a system to monitor progress, through enhanced political dialogue at all levels, using clear indicators and measurable outcomes, so as to ensure that implementation is on track.

The Agreement will state that the Parties may review the Protocol on a regular basis and as appropriate, with a view to adapting it to changing circumstances.

Part 2 STRATEGIC PRIORITIES

Title I Climate change and sustainable management of natural resources

The Agreement will reaffirm that ambitious action on mitigation and adaptation is essential to manage and reduce the risks of climate change and, more generally, that the protection and improvement of the quality of the environment is the vital basis for the development of current and future generations.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on climate action,

- accelerate implementation of the Paris Agreement on climate change, through National Determined Contributions (NDCs) and National Adaptation Plans;
- make existing finance flows and explore innovative financing consistent with a pathway towards low greenhouse gas emissions and climate-resilient development;
- build and/or strengthen scientific and technical human and institutional capacity for climate and environmental management and monitoring, including through the use of Earth observation technologies and information systems;
- develop and/or strengthen green and blue growth in key economic sectors;

on environmental sustainability,

- support the conservation, sustainable management, and restoration of ecosystems, so as to enable development of countries, livelihood for local population and ecosystem services locally and globally;
- halt deforestation and ensure the sustainable management of forests;
- promote sustainable water management;
- improve management of waste – including through efficient collection systems and effective recycling – and all hazardous substances;

on ocean governance,

- preserve coastal and marine areas and their biodiversity, prioritizing the sustainable development of the fisheries and tourism sector in the context of blue growth strategies;
- fight illegal, unreported and unregulated (IUU) fishing and support the development of sustainable fisheries management;
- reduce marine debris, targeting the root causes of marine litter, including through waste prevention policies and scale-up ocean clean-up operations, paying particular attention to accumulation zones in ocean gyres;

on disaster risk management,

- increase monitoring, early-warning and risk assessment capacities improving prevention, mitigation, preparedness, response and recovery measures at the domestic level in order to increase the resilience of their societies and infrastructure, in line with the priorities of the Sendai Framework;
- strengthen regional disaster and emergency response capacity, including civil protection mechanisms, in order to bolster research and disseminate best practices;
- foster cooperation through the use of space technologies and information;
- ensure local ownership by involving affected communities, civil society, and local authorities in devising and implementing policy responses, paying attention to the most vulnerable households and marginalised groups.

Title II: Inclusive and sustainable economic development

The Agreement will strengthen economic and trade relations between the Parties, improve macroeconomic and financial stability, bolster investment and business opportunities, and support the transition towards full and quality employment, respect and protection of core labour standards, and environmental sustainability. It will strengthen private sector development in all sectors, including agriculture, industry and services

Key vectors for investment and private sector development

The Agreement will include provisions to tackle crucial bottlenecks that require public intervention – in addition to structural investment in infrastructures (e.g. energy, transport, digital connectivity) – as well as research and innovation so as to create a business environment more conducive to greater flows of investment and private sector development.

To this effect, the Parties will commit *inter alia*, to:

- create an enabling legal environment, paying particular attention to the protection of land and property rights, intellectual property and investment; the reduction of red tape through lowering costs for certifications, licenses and access to finance, sound competition policies including transparency as regards public subsidies, and the adoption of investment-friendly tax systems;
- provide investors with easily accessible and adequate information on how to expand their business in the Pacific, facilitating administrative procedures for setting up business;
- make more strategic use of public finance, including blending instruments to crowd in additional public and private investment;
- increase domestic access to finance, including through financial system reforms to develop viable banking and non-banking systems and innovative financing mechanisms and schemes;
- develop and strengthen digital financial services, including mobile banking systems, including through enhanced collaboration on the implementation of international standards and ensuring open markets, consumer protection and increased access to mobile services;
- strengthen more demand-driven Technical and Vocational Education and Training (TVET) systems, adapted to the needs and opportunities of local and regional labour markets.

Key sectors for investment and private sector development

The Parties will focus, *inter alia*, on the following strategic sectors which are expected to have a high multiplier effect towards inclusive and sustainable economic development and job creation, ensuring that economic growth goes hand in hand with environmental sustainability.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on green economy

- promote the transition to a low carbon, resource efficient and circular economy, including through supporting sustainable consumption and production approaches and measures on waste prevention and environmentally sound waste management

- enhance knowledge and capacity on policy options and best practices to improve resource efficiency along the entire life-cycle of natural resources and products

on sustainable blue growth,

- conclude and/or renew sustainable fisheries partnership agreements (SFPAs), ensuring sustainability of fish resources, promotion of best practices in fisheries management, and increased capacity for the processing of fisheries products;
- develop sustainable aquaculture, through simplification of licensing procedures, effective spatial planning for maximum efficiency and sustainability, and enhanced level playing field for investors;
- ensure fair, sustainable and undistorted access to extractive sectors, including seabed mining, for all economic players, taking into account sustainability concerns, as well as achieve greater transparency and accountability including through the promotion of the Extractive Industry Transparency Initiative and implementation of other relevant initiatives;
- ensure unrestricted access to international maritime markets and trade, including ports, based on fair competition and on a commercial basis;

on sustainable energy,

- contribute to universal energy access and reliable and affordable sustainable energy supply for all economic players, and bolster investments including in renewable energy generation, transmission, distribution and energy efficiency while addressing detrimental market distortions;
- scale up public and private finance for renewable energy and energy efficiency as well as the development and uptake of clean, diverse and sustainable energy technologies, including renewable and low-emission energy technologies;

on tourism,

- bolster investment in the tourist sector, through facilitated marketing and promotion strategies, professional training and the uptake of digital technologies;
- strengthen linkages between the tourism sector and other relevant economic sectors, in particular agriculture and fisheries, paying particular attention to environmental protection as well as agro- and maritime tourism;
- mainstreaming sustainable use and conservation of biodiversity in tourism policy planning and development;
- promote sustainable, responsible and high-quality tourism, which respects the integrity and interests of local communities;

on connecting people and places,

- build quality and sustainable infrastructure systems so as to facilitate the movement of goods and people, promoting sound environmentally practices in compliance with established international conventions and agreements;
- ensure access to Information and Communication Technologies markets (e.g. telecommunications, internet) for all economic players, including through the

- creation of favourable legislative frameworks and the support of targeted investments, and provide for affordable usages of digital technologies for people and businesses;
- promote cultural exchanges and carry out joint initiatives in various cultural spheres;
- enhance cooperation and integration with the EU's Overseas Countries and Territories (OCTs);

Trade cooperation

The Agreement will aim to foster trade and investment opportunities between the Parties for the benefit of inclusive and sustainable development.

To this effect, the Parties will take concrete measures *inter alia* to:

- strengthen mechanisms and procedures and enhance capacity, within the agreed trade settings;
- ensure that the framework conditions are in place, by tackling business environment constraints and implementing necessary reforms, to make increased trade flows and exports conducive to inclusive growth and sustainable development, job creation, economic diversification and industrialisation, including through strengthened production capacities and entrepreneurship, increased investments in value-adding and labour intensive sectors, and insertion into global and regional value chains;
- build upon, foster and support regional integration processes, so as to help countries benefit from trading with their neighbours and contribute to fostering regional stability, cohesion and prosperity;
- enhance trade cooperation with the EU's Overseas Countries and Territories (OCTs);
- strengthen mechanisms, procedures and institutions to enhance capacity to establish and implement trade policies, as well as to enable private sector to take advantage of such policies and the increased opportunities;
- build upon, foster and support regional integration processes, including trade facilitation and regulatory harmonisation, so as to help countries take greater advantage of trading with their neighbours, and to contribute to fostering regional stability and prosperity.

Title III: Security, human rights, and good governance

The Agreement will reiterate that resilient societies – with accountable, democratic, effective, transparent institutions, where human rights and fundamental freedoms are fully protected and adequate space is guaranteed to citizens and groups to express their aspirations and shapes policies – are best prepared to adapt, respond to and properly manage changes domestically and in the external environment.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on peace and security,

- support reconciliation processes and conflict prevention initiatives – including those based on ethnic grievances and conflicts;
- address illicit traffic in small arms and drugs currently as well as the issue of integration of criminal deportees from metropolitan countries;
- develop cooperation on maritime and airspace surveillance and identify needs and means to counter cybercrime;
- strengthen governance systems to address irregular migration, smuggling and trafficking in human beings and related criminal networks, with a specific focus on victims' protection and development of prevention strategies for persons at risk;
- cooperate in preventing the use of financial systems, institutions, and designated non-financial businesses and professions for the laundering of proceeds from criminal activities (including illicit trafficking and corruption) and for the financing of terrorism in line with international standards;

on human rights, justice, and democratic principles,

- apply in full the non-discrimination principle in regard with ethnicity, gender, age, disability, religion or beliefs, sexual orientation, putting a priority at rescinding discriminating laws;
- foster dialogue and cooperation on the abolition of the death penalty and combat torture and ill-treatment;
- promote gender equality, the rights of children, and the rights of indigenous people
- enhance equal access to judicial and human rights protection and monitoring mechanisms;
- respect democratic principles and institutions, the peaceful transfer of power, as well as fundamental values in line the 2000 Biketawa Declaration of Forum Leaders and the 2014 Framework of Pacific Regionalism;
- ensure consultative structures and processes that take into account traditional knowledge and the concerns of local communities;

on good governance and tax matters,

- promote good governance and establish new mechanisms and strengthen existing ones against corruption, bribery, and money laundering;
- tackle tax fraud, tax evasion and aggressive tax planning, paying particular attention to increasing tax transparency, exchange of information and fair tax competition, in line with relevant international standards and frameworks;
- intensify political dialogue with non-cooperative tax jurisdictions with a view to meeting global tax governance standards.

Title IV: Human development and social cohesion

The Agreement will reaffirm the determination of the Parties to eradicate poverty in all its forms by 2030, effectively tackle inequality and achieve gender equality, and create the conditions for an effective participation of people in democratic life and an active contribution to sustainable economic growth. It will also acknowledge social protection as a fundamental investment for poverty eradication and fighting inequality, and as an important mean to create a self-strengthening cycle towards inclusive and sustainable economic development, by reinvesting economic gains more broadly into society and people.

To this effect, the Parties will take concrete measures, *inter alia*, to:

on human development,

- ensure that all girls and boys complete free, equitable and quality pre-primary, primary and secondary education and that enrolments in tertiary education are significantly improved through strengthened national health systems at all levels;
- achieve universal health coverage and equitable access to health services, including sexual and reproductive health and rights (SRHR), through strengthened national health systems at all levels and enhance capacity for early warning, risk reduction and management of national and global health risks, take measures to implement global health treaties;
- ensure access to safe and sufficient drinking water at an affordable cost in order to meet basic needs, including sanitation and hygiene, and safeguard health and levels of well-being;
- ensure that all are able to access sufficient, affordable, safe and nutritious food;
- prevent the rise in non-communicable diseases by supporting healthy diets and healthy lifestyles;
- address the challenges posed by environmentally induced forced displacement and its impact on migrants and their communities;
- adopt targeted policies and appropriate investment to promote young people's rights, facilitate their engagement in social, civic and economic life;

on social protection,

- adopt policies in support of attaining and sustaining income growth of the bottom 40% of the population at a rate higher than the national average;
- extend social protection coverage, through basic income security and adequate and shock- responsive social protection schemes;
- create more inclusive and well-functioning labour markets and employment policies directed towards decent work for all, including enhancing the health and safety conditions for workers;
- address issues related to the informal economy, including access to credit and micro-finance and strengthened social protection measures, with the view to facilitating a smoother transition to the formal economy.

on gender equality,

- ensure that all sign, ratify and fully implement the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and its additional protocol on women rights;
- ensure girls' and women's physical and psychological integrity, by eliminating all forms of gender-based violence and ending child and forced marriages;
- ensure that girls' and women's social rights are respected and promoted, notably in the area of health and education;
- strengthen girls' and women's voice and participation in political life through enhanced presence of women in electoral, policy, and governance processes, in peace processes and mediation efforts, and by empowering girls and women's organisations;
- reinforce the economic rights of women, facilitating their access to financial services, the control and use of land and other productive assets, and supporting women entrepreneurs.

6. DIVERSIFIED COOPERATION

The Agreement will state that the Parties will agree to make available the appropriate means, both financial and non-financial, in order to fulfil the objectives set out in this Agreement. Cooperation will be diversified encompassing a range of policies and instruments and will be tailored to specific needs, strategies, priorities and available resources so as to reflect the growing variety of circumstances across countries and regions.

Financing the Partnership

The Agreement will reiterate the EU's commitment to continued support and collaboration with ACP countries towards generating mutually beneficial outcomes. The EU financial commitment will take into account the different capacities and needs of its partners.

The EU will reaffirm its collective commitment to provide 0.7% of its Gross National Income (GNI) as ODA and 0.2% of its GNI to LDCs within the timeframe of the 2030 Agenda.

It will also reiterate the importance of a comprehensive and integrated approach to mobilise financing and other means of implementation from all available sources (public/private, domestic/international) and all actors, including through innovative financing sources and instruments, knowledge, expertise, capacity building, technology and non-financial resources.

The EU will reaffirm its resolve to focus its financial assistance where it is most needed and can have most impact, particularly the LDCs, SIDS and countries in situations of fragility and conflict. Specific attention will also be paid to the challenges related to inequality and social exclusion, as well as to the challenges faced by middle-income countries.

Partners should commit to mobilising domestic resources, in line with the Addis Ababa Agenda for Action, including public finances in view of achieving the sustainable development goals. They will endeavour to reform their tax policy and administration, improve on revenue collection, and tackle tax evasion and avoidance and illicit financial flows, including in tax havens. They should also commit to implementing global tax governance standards set by relevant international bodies.

Private sector capital flows are vital complements to national development efforts. Partners will develop policies and, where appropriate, strengthen regulatory frameworks to better align private sector incentives with public goals and foster long-term quality investment.

The Agreement will acknowledge the importance of remittances as a crucial tool for development financing. The Parties will commit to promote cheaper, faster, and safer transfers in both source and recipient countries, and to ensure that relevant legislation does not contain provisions hampering the effective use of legal remittances channels.

The EU will develop new forms of engagement with more advanced ACP countries, including the possibility of co-financing, in order to promote the implementation of the 2030 Agenda, support less advanced countries, as well as address jointly specific regional and global challenges.

Effective development cooperation

The Agreement will reiterate the importance and centrality of the development effectiveness agenda as agreed in various international fora, and the commitment of the Parties to apply to all forms of development cooperation the following principles: ownership of development priorities by partner countries, inclusive development partnerships, focus on results, transparency and mutual accountability.

The Agreement will state that different and complementarity modalities (e.g. project support, budget support, blending, trust funds) and modes of support delivery (including aid for trade, twinning, technical assistance and capacity building) will be used depending on each country's capacities, needs and performance and in the framework of dialogue among the ACP and EU. When applicable, budget support will be used to deliver enduring results in support of the Sustainable Development Goals.

The Agreement will state that the EU will ensure coordination with its Member States to further improve the way in which they deliver their financial cooperation, including through increased and more effective coordination, taking into account their respective comparative advantages. Joint Programming and implementation will be promoted and strengthened in view of a more coherent, effective and coordinated support to achieve shared objectives.

7. INSTITUTIONAL FRAMEWORK

Actors

The Agreement will reaffirm that governments in ACP countries play a central role in the Partnership, defining priorities and strategies for their countries. It will also acknowledge the essential contribution of national parliaments and local state authorities respectively in enhancing democratic accountability and complementing governmental action.

The Agreement will increase the role of regional and continental organisations, in particular in managing and implementing the three regional partnerships, ensuring that cross-country priorities are duly taken into account and existing frameworks for cooperation effectively streamlined.

The Agreement will recognise, support and strengthen the role civil society organisations and the private sector as key partners in strengthening the relations between the Parties' people and governments, and in realising the objectives of the Partnership.

Institutional provisions

The Agreement will include provisions on a reformed institutional architecture to manage the Partnership, which will be based on the application of the principles of subsidiarity and complementarity and will ensure increased coherence and streamlining between the different existing structures at different levels.

As for the three regional Compacts, Summit meetings will provide the necessary strategic political steering to run the three regional partnerships. As regards Africa, the Summit will continue to include the countries of North Africa, to ensure a coherent one-Africa approach.

Each Compact (Protocol) will be managed by a regional Council, which will have the task of conducting political dialogue, revising when needed and taking the decisions necessary for the implementation of the provisions of the Compacts. A prominent role in managing the Compacts will be assigned to relevant regional organisations (e.g. African Union). When appropriate, each Council may decide to invite third parties as observers in relation to specific issues.

To ensure a coherent partnership with Africa as a whole, the most appropriate modalities for associating the countries of North Africa to the new agreement should be sought through consultations, with a view to ensuring their full participation in the political and policy dialogue of the EU-Africa Compact. This will be without prejudice to the existing legal, financial and policy frameworks with these countries, notably the Association Agreements within the European Neighbourhood Policy.

The Agreement will also ensure that the regional economic communities (RECs) are involved in all meetings, in particular feeding into the EU-Africa Council, thus enhancing coherence with existing arrangements.

The Agreement will provide for each Council (i.e. EU-ACP, EU-Africa, EU-Caribbean, EU-Pacific) to set up an Operational Committee, to which it may delegate some of its power for the fulfilment of its tasks.

The Agreement will foresee a parliamentary dimension for the three regional Compacts, similar to existing structures (e.g. EP-PAP meetings). Parliamentary meetings should take place in view of the respective Council meetings. Where appropriate, the regional parliamentary meetings can be brought together in one meeting.

The Agreement may also foresee, at the level of the regional Compacts, meetings between civil society as well as private sector representatives. These meetings should take place in view of the respective Council meetings. Where appropriate, the regional meetings may be brought together in one meeting.

As regards the governance of the overall partnership agreement, a Summit of Heads of State and Government at EU-ACP level will take place on ad-hoc basis to provide the necessary strategic political steering on issues that concern all Parties. The Partnership at EU-ACP level will be managed by an EU-ACP Council, which will take place on ad-hoc basis to discuss matters of common concern related to the general principles and values as defined in the General Part of the Agreement and to agree upon joint positions on international cooperation. Meetings at ministerial level could also take place on specific issues.

The Agreement will enable the Parties to identify ways to develop more effective working methods, allowing for more in-depth dialogue and faster and efficient decision making.

8. FINAL PROVISIONS

Territorial application

The Agreement will include a provision on the territorial application, in line with standard formulations.

Entry into force

The Agreement will include a provision stating that the Parties will ratify or approve the Agreement in accordance with their constitutional rules and legal procedures.

The Agreement will include a provision establishing the entry into force of the Agreement, indicating also the required thresholds.

The Agreement will also include a provision foreseeing that the Agreement, wholly or in part, may be applied on a provisional basis pending its entry into force and in accordance with the internal legal procedures and legislation of the Parties.

Duration, termination and revision

The Agreement will not include a provision which limits its validity in time. By contrast, it will include a provision stating that the Agreement may be terminated upon request of one of the Parties and will also set the procedures for such termination.

The Agreement will include a provision establishing that the General Part of the Agreement may be amended according to the procedures laid down for the ratification and entry into force of the Agreement, upon request of one of the two Parties.

The Agreement will also include a provision establishing that the Protocols on the EU-Africa, EU-Caribbean, and EU-Pacific partnerships may be amended according to a simplified procedure, upon request of one of the two Parties and on the basis of a decision adopted by the respective Councils.

Fulfilment of obligations

The Agreement will foresee the possibility for a Party to take appropriate measures in case the other Party has failed to fulfil any of its obligations in relation to the essential and fundamental elements. In such cases, appropriate measures should be taken following prior consultations between the Parties. Consultations should be held at the level and in the form considered most appropriate for reaching a solution and within a defined timeframe.

In order to prevent situations arising in which one Party consider that the other Party has failed to fulfil its commitments in relation to the essential and fundamental elements of the Agreement, structured and systematic consultations will be held on concerns raised.

Whilst the bilateral character of the consultations will be preserved, the Parties will commit to consult and coordinate with all relevant regional and international actors in the preparations of each consultation session.

The Agreement will also ensure the possibility for a Party to take appropriate measures should the consultations be refused or fail to deliver mutually acceptable results, as well as

in cases of special urgency without the need for prior consultations. 'Appropriate measures' and 'cases of special urgency' should be defined as in the CPA under Article 96 2(b) and 2(c).

Dispute settlement

The Agreement will include a provision on an appropriate dispute settlement mechanism in case of divergence in the application, interpretation and implementation of the Agreement.

Accession

The Agreement will include a provision establishing the criteria and mechanisms for accession to the Agreement of an independent state, in line with the provisions laid down in the CPA. It will also foresee the possibility for accession of regional organisations.

Enhanced observer status

The Agreement will include a provision establishing the criteria for observer and enhanced observer status to the Agreement of an independent state, regional or international organisations or relevant organisations with legal personality.

Authentic texts

The Agreement will include a provision stating that the Agreement is drawn up in duplicate in all official languages of the European Union, each text being equally authentic.