



Council of the  
European Union

027702/EU XXVI. GP  
Eingelangt am 22/06/18

Brussels, 21 June 2018  
(OR. en)

8094/18  
ADD 1

**LIMITE**

ACP 24  
PTOM 10  
COAFR 93  
COLAC 19  
COASI 104  
WTO 88  
RELEX 326

**NOTE**

---

From: General Secretariat of the Council  
To: Delegations

---

Subject: Negotiating directives for a Partnership Agreement between the European Union and its Member States of the one part, and with countries of the African, Caribbean and Pacific Group of States of the other part

---

Delegations will find attached the negotiating directives for a Partnership Agreement between the European Union and its Member States of the one part, and with countries of the African, Caribbean and Pacific Group of States, of the other part.

**NEGOTIATING DIRECTIVES FOR A PARTNERSHIP AGREEMENT BETWEEN THE  
EUROPEAN UNION AND ITS MEMBER STATES OF THE ONE PART, AND WITH  
COUNTRIES OF THE AFRICAN, CARIBBEAN AND PACIFIC GROUP OF STATES, OF  
THE OTHER PART**

**Contents**

1. NATURE AND SCOPE OF THE AGREEMENT
2. FOUNDATION
3. EU-AFRICA PARTNERSHIP
4. EU-CARIBBEAN PARTNERSHIP
5. EU-PACIFIC PARTNERSHIP
6. DIVERSIFIED COOPERATION
7. INSTITUTIONAL FRAMEWORK
8. FINAL PROVISIONS

## 1. NATURE AND SCOPE OF THE AGREEMENT

The purpose of the negotiations is to conclude a strengthened Partnership between the European Union (EU) and its Member States of the one part, and the countries of Africa, the Caribbean and the Pacific of the other part.

The new Agreement is envisaged as a comprehensive partnership with the aim to strengthen the relations between the Parties and generating mutually beneficial outcomes on common and intersected interests. The Agreement will aim to advance sustainable and inclusive development, based on the implementation of the 2030 Agenda for Sustainable Development and the Paris Agreement on Climate Change as the overarching frameworks guiding the partnership. The Agreement will seek to build peaceful and resilient states and societies. It will seek to bolster investment, support private sector development, and enhance regional integration. It will support the transition to low greenhouse gas emissions and to development and climate resilient economies, and will contribute to the creation of decent jobs for all. The Agreement will seek to eradicate poverty in all its dimensions. The Agreement will seek to ensure an efficient fight against terrorism, to reap the benefits of well-managed migration, stem irregular migration and address its root causes, in full respect of international law and EU and national competences, as well as to ensure full respect of international commitments on human rights, fundamental freedoms and democratic principles. The Agreement will also facilitate common positions on the world stage, reinforcing multilateralism and a rules-based international order.

The objective is to obtain a new Agreement that consists of a Foundation and three regional partnerships. The 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 partnerships, 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 Agreement will be open to and welcome the involvement or accession of third countries which subscribe to the same values, contribute to meeting the objectives, and share the same interests. The Agreement will take into account the specific concerns of the EU's Outermost Regions and Overseas Countries and Territories. The regional partnerships are Protocols to the agreement, providing for a comprehensive legal framework of the relations. At the same time, the regional partnerships allow for a flexible adjustment to changing circumstances through the application of a simplified procedure to revise the three Protocols.

The Agreement will build on and strengthen the core values and principles of the Cotonou Partnership Agreement, in particular Articles 8 to 13 and 96 and 97. It will include an adapted, effective, lighter and flexible institutional architecture that simplifies and rationalizes relations between the Parties, allowing for greater coherence with existing frameworks and enabling decisions and actions to be taken more quickly and effectively.

The Agreement will provide a clearer division of labour between national, regional and sub-regional actors. It will also state that the Parties will pursue an inclusive and open multi-stakeholder approach, including by strengthening the role of parliaments, local authorities, civil society and the private sector, both in the Foundation and the regional partnerships.

## 2. FOUNDATION

### PART 1 COMMON PROVISIONS

The Agreement will affirm that the provisions in the Foundation are an integral part of the priorities of each regional partnership.

#### **Title I Objectives**

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

- Forging a comprehensive 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, tackling discriminations and inequalities, and leaving no-one behind, 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:

- Promote, respect, protect and fulfil human rights, fundamental freedoms, democracy, the rule of law and good governance,
- Foster human development and dignity for all, with particular attention to women and girls;
- 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 regular migration into opportunities, stem irregular migration and address its root causes, in full respect of international law and EU and national competences.

## **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, reciprocity, accountability and mutual respect.

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

The Agreement will express the commitment and active 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, in line with the 2030 Agenda for Sustainable Development.

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. Cooperation within formal and ad-hoc regional formats should 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, enabling the active engagement of a wide variety of actors in dialogue and cooperation processes, including parliaments, local authorities, civil society and the private sector.

The Agreement will state that the Parties will systematically promote a gender perspective and that gender equality will be mainstreamed across all policies.

The Agreement will establish that the Parties should ensure that all necessary measures and mechanisms for monitoring and follow-up are in place to give effect to the provisions of the Agreement, and that all Parties are held accountable in relation to the fulfilment of their obligations.

### **Title III Political dialogue**

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

The objectives of dialogue will be to (i) foster mutual understanding of each Parties' 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, regional and continental 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. 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 reaffirm their commitment to Policy Coherence for Development as a crucial element to achieve the Sustainable Development Goals (SDGs) and an important contribution to the broader objective of policy coherence for sustainable development. The Parties will agree to do each their part in working towards policy coherence, so as to ensure that their policies contribute to sustainable development, both domestically and internationally.

The Agreement will include the commitment of all Parties to individually and collectively maximise the benefits and minimise the negative impact that their policies may have on the other Parties. The Parties will also undertake to inform and, where appropriate, consult with the other Parties, within the established institutional format, on initiatives and measures that may significantly affect the other Parties.

## **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 will reiterate their commitment to promote, protect and fulfil human rights and fundamental freedoms, which are universal and indivisible, as well as to promote the values of democracy, good governance, the rule of law, 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 will constitute a fundamental element of the Agreement. The Agreement will acknowledge that shortcomings towards the achievement and fulfilment of the essential and fundamental elements pose major challenges for the Partnership and hinder sustainable development. The Agreement will also ensure that no region is subject to a differential treatment with regards to the application of these elements, which will apply equally to the three regional partnerships.

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. It will also include a commitment to the fight against racism, racial discrimination, xenophobia and related intolerance, as well as to the recognition and advancement of the rights of indigenous peoples.

The Agreement, acknowledging the importance of pluralistic societies, will include a commitment of the Parties to foster inclusive political processes; to support inclusive, transparent and credible elections; to promote accountable, inclusive and transparent institutions, including through oversight mechanisms; and to support participatory decision-making and public access to information at all levels. It will promote the participation of women and youth in political processes at the local, national and continental level. It will contain a commitment to promote freedom of expression and media independence as pillars of democracy.

The Agreement will also include a commitment to facilitate, preserve and broaden an enabling space for civil society organisations (CSOs), acknowledging their role as promoters of democracy, human rights and social justice, defenders of rights holders and of the rule of law, as well as their oversight role, thus strengthening domestic transparency and accountability.

The Agreement will include provisions on access to effective and independent justice, including equality before the law, the right to a fair trial and access to legal assistance for all.

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

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

## **Title II Human development and dignity**

The Agreement will reaffirm the commitment of the Parties to work together towards sustainable development and poverty eradication in all its forms, tackle inequalities and promote social cohesion, paying particular attention to the specific needs of youth, women and girls, and the most vulnerable and disadvantaged people, to ensure that all human beings fulfil their potential in dignity and in a healthy environment, and that no-one is left behind. The Parties will commit to protect and promote women's and girls' equal rights and their economic, social and political empowerment.

To this end, the Parties will intensify efforts to accelerate progress towards the attainment of the goals of the 2030 Agenda for Sustainable Development related to human and social development, in line with the principles of leaving no-one behind, and of reaching the furthest behind first. Special attention will be paid to those most in need, in particular in LDCs and conflict-affected and fragile countries, but also taking into account the specific challenges of middle-income 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 towards an integrated approach that minimises the challenges related to population growth and maximises the benefits of a demographic dividend.

The Agreement will commit to the promotion, protection and fulfilment of all human rights and to the full and effective Implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development (ICPD) and the outcomes of their review conferences and will commit to sexual and reproductive health and rights (SRHR), in this context. Having that in mind, the Agreement will commit to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. The Agreement will further stress the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including comprehensive sexuality education, and health-care services.

### ***Equitable access to social services***

The Agreement will promote inclusive and equitable access to quality education at all levels, including technical and vocational training and adult learning, as well as to digital technology and services, 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 inequalities and barriers in access to health services and 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 universal access to safe drinking water, sanitation and hygiene for all, including through sustainable and integrated water management systems, adequate and equitable access to sanitation and hygiene, affordable, reliable, sustainable, and modern energy services, as well as access to adequate, safe, and affordable housing.

### ***Social protection***

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

To this effect, the Parties will commit to building progressively universal nationally-owned social protection systems, including social assistance, social insurance, and labour market interventions directed to achieve full and productive employment and decent work for all, with a focus on women and youth, and to adopting minimum social protection floors, to ensure that the fruits of growth are widely and equitably shared and that poverty is eradicated by 2030. The Parties will also apply strategies to eradicate child and forced labour in accordance with ILO obligations.

The Parties will promote the rights of persons with disabilities and take stronger measures to ensure their full inclusion in society and their equal participation in the labour market, taking into account their specific needs. The Parties will take concrete measures to sign, ratify and fully implement the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

### ***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 cooperate to eliminate all forms of sexual and gender-based discrimination and violence, to end child, early and forced marriage, and to prevent female genital mutilation and cutting.

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.

### ***Access to sufficient, affordable, safe and nutritious food***

The Agreement will commit to fight hunger and acknowledge that under-nutrition and malnutrition are major obstacles to development. The Parties will work to ensure access for all to affordable, safe, sufficient and nutritious food. The Agreement will strengthen coordinated, accelerated and cross-sectoral efforts to end hunger, increase the capacity for diversified local and regional food production, ensure food security and nutrition and enhance the resilience of the most vulnerable, particularly in countries facing protracted or recurrent crises.

### ***Resilience***

The Agreement will contain provisions to strengthen societal and state resilience, particularly of vulnerable populations, in the face of environmental and climate change related challenges, 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.

### ***Science, technology and innovation***

The Agreement will include a commitment by the Parties to increase efforts in research and innovation in sustainable development including through partnerships on areas that are key sectors for human development and where public funding is critically needed. The Parties will agree to deepen collaboration between researchers and innovators between regions, building on existing mechanisms.

## ***Cultural cooperation***

The Agreement will include a commitment by the Parties to foster inter-religious and inter-cultural dialogue, and to promote 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. The Agreement will acknowledge that dynamic cultural and creative sectors, including cultural heritage in partner countries, can contribute to poverty reduction, as they are important catalysts for growth, employment, social cohesion and local development. The Agreement will also recognise that a strategic approach to cultural cooperation could allow addressing challenges such as radicalisation and xenophobia more efficiently. The Agreement will include provisions to strengthen efforts to protect and safeguard tangible and intangible cultural heritage.

## **Title III Inclusive sustainable economic development**

The Agreement will state that inclusive and sustainable economic growth that benefits all people is crucial to the achievement of the 2030 Agenda for Sustainable Development. It will acknowledge that full and productive employment and decent work for all are essential for poverty eradication and prosperity. It will also state that gender equality and women's and youth economic empowerment are crucial enablers for sustainable economic growth.

The Agreement will also state that the Parties will work together to create the appropriate conditions for increased investment, economic diversification, regional economic integration, enhanced trade and private sector development in all sectors. The promotion of investment and private sector development should be at the heart of the partnership.

### ***Economic dialogue***

The Agreement will include provisions on economic dialogue, notably to facilitate the process of economic reform by improving the understanding of the fundamentals of the Parties' respective economies, when necessary. The Parties will agree to exchange information and views on macroeconomic policies and structural reforms. They may also undertake 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 inclusive growth, with decent jobs for all.

The Parties will cooperate to create an enabling 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 investment, by supporting transparent and open rules for investors and sound regulatory frameworks, as well as exploring mechanisms to facilitate reciprocal public and private investment flows, especially through guarantees for private investment, promotion of diaspora investments and financing and the improvement of the business climate, the transfer of capital and technologies, as well as the exchange of information on investment opportunities.

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

The Parties will acknowledge that adequate infrastructure - including transport, energy, water, and digital connectivity - as well as research and innovation, are key enabling factors and leverage for sustainable economic growth.

The Parties will also increase cooperation on technical and vocational education and training, and link it more effectively to the opportunities and skill-needs of the labour market.

The Parties will strengthen dialogue and cooperation to enhance financial inclusion and access to responsible finance, through the use of a broad spectrum of financial services and innovative financial instruments and mechanisms, including loans, equity, credit and insurance, in particular by supporting the development of capital markets, as well as secure, well-supervised and open financial systems and instruments.

The Parties will promote the transition to a low-emission, resource efficient and circular economy, including through supporting sustainable consumption and production approaches and environmentally sound waste and chemicals management, as well as promote the phasing-out of environmentally and economically harmful subsidies.

The Parties will reaffirm their commitment to social dialogue. The Parties will reaffirm that private sector and investment activities must respect and promote human rights, core labour and environmental 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 creating more and decent jobs that contribute to the economic and social inclusion and empowerment of women, youth, and the poorest and most vulnerable.

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

### *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 regional and 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 Agreement will aim to facilitate regional trade and investment. In this regard, 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 rendezvous 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 all the EPAs concluded or to be concluded.

The Parties will agree to promote the involvement of civil society and the private sector, in particular MSMEs, 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 and when necessary, as well as to cooperate in international fora on trade matters.

The Parties will reaffirm their commitment to integrate sustainable development, including its social and environmental dimensions, into all mutual trade relations, to promote fair and ethical trade, and to enhance cooperation and dialogues with all relevant actors 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 and aviation 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, public procurement, 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 IV Environmental sustainability, climate change and sustainable management of natural resources**

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 life and the quality of life of current and future generations. In that respect, the Parties will recall that environment protection and the fight against climate change are closely linked with the other strategic priorities of the Agreement, notably peace and security, as well as sustainable and inclusive economic development.

The Parties will commit to working together to accelerate progress towards the attainment of the Sustainable Development Goals that are related to environment and climate change, and towards the implementation of the Paris Agreement on climate change.

The Parties will commit to strengthening cooperation and building effective alliances in international settings on relevant issues, in particular climate change, sustainable and renewable energy and energy efficiency efforts, ocean governance and water management, biodiversity and the promotion of nature-based solutions. They will also agree to mainstream environmental sustainability, climate change objectives and the pursuit of green growth into all policies, plans and investments, as well as to strengthen engagement with local authorities, civil society and the private sector, and to addressing any type of vulnerability, leaving no-one behind.

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 agree to integrate adaptation plans into national processes and to share experiences in order to achieve climate-resilient sustainable development. They will also commit to promoting investment and decent job creation into resource efficient and low-emission green economy.

The Parties will support and promote initiatives to significantly increase the capacity of LDCs and SIDS to generate early-warning and risk information.

The Parties will support, and mainstream in all policies, 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, and will address the issue of ocean acidification. The Agreement will also include provisions to ensure the responsible governance of tenure of land, fisheries and forests.

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

- the vulnerability of small island developing states and coastal populations, especially the threat posed by climate change;
- the exposure of countries to worsening droughts, floods, water scarcity, land and forest degradation, deforestation 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.

The Parties will cooperate in risk finance and transfer including contingency budgets, credits and risk transfer solutions, such as insurance solutions.

### **Title V 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 that without inclusive development there cannot be sustainable peace and security.

The Agreement will also recognize that climate change, environmental pressures and degradation have direct and indirect implications for international security and stability, chiefly affecting those in most fragile and vulnerable situations, contributing to the loss of livelihoods, increasing disaster risk, forcing the displacement of people and exacerbating the threat of social and political unrest, as well as strong security tensions.

The Parties will apply an integrated approach to conflict and crises, including prevention, mediation, resolution and reconciliation efforts, addressing both civilian and military capabilities, including through security sector reform, whilst paying special attention to situations of fragility. They will act in close cooperation with continental and regional organisations as well as the UN, international financial institutions and third countries. The Parties will promote inclusive and participatory mechanisms and structures for dialogue and consensus building, supporting the active participation of youth and women, and involving local communities and civil society organisations. The Parties will recognise that women and girls are key agents of development and change. The Agreement will acknowledge women's meaningful role and effective participation in peacebuilding, conflict prevention, mediation, resolution and humanitarian response, while taking into account that women and girls are victims of gender-based violence in conflicts.

The Parties will cooperate to improve the governance of natural resources, including the extractive industries, so 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 countering terrorism and violent extremism, addressing the root causes of radicalisation, supporting social and economic development, 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 violence against citizens and organised crime and illicit trafficking, including of human beings, arms and weapons, wildlife, cultural goods, 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 ratify and implement the Rome Statute of the International Criminal Court and, as appropriate, related instruments. The Parties will recognize the imperative of full cooperation with the ICC, 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 confirm 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 full 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 VI Migration and mobility**

The Agreement will strengthen the commitment of the Parties to enhance cooperation, in a spirit of genuine partnership and shared responsibility and in full respect of international law, including international human rights law, EU and national competences.

The Agreement will recognise that regular migration and mobility can have positive impacts on sustainable development when properly managed. The Agreement will confirm the shared political commitment to address the root causes of irregular migration and forced displacement. It will also acknowledge the relevance of south-south migration and of environment - and climate change-induced migration and mobility, as well as forced displacement.

The Agreement will recognise the importance of adopting a comprehensive, coherent, pragmatic and balanced approach across these multiple and interlinked priority areas, in full respect of international law and international human rights law and, when applicable, international refugee law and international humanitarian law.

The Agreement will, in full respect of international law and EU and national competences, seek to reap the dividends of safe, orderly and regular migration and mobility, and create and apply the necessary leverage, by using all relevant policies, instruments and tools, including development, trade and visa, to achieve measurable results in terms of stemming illegal migration and returning irregular migrants. To this end, all elements of migration cooperation will be addressed in the regular political dialogue.

The Parties will acknowledge the different forms of contribution that diaspora members can offer for the development of their countries of origin, including economic contributions, transfer of knowledge, experience and technology, as well as in the framework of national reconciliation processes.

The Agreement will strengthen the commitment of the Parties to cooperate in stemming the flows of irregular migration, in full respect of international asylum law, acknowledging negative impacts of irregular migration on countries of origin, transit and destination, including related humanitarian and security challenges, and the increased risk for migrants to experience human rights violations and to become victims of trafficking and abuses.

The Agreement will reflect international commitments to protect the human rights of all refugees and migrants and to develop measures against all forms of discrimination, racism and xenophobia, taking into consideration that human rights are universal and indivisible. The Agreement will reaffirm the commitment of the Parties to the fair treatment of third country nationals. The Parties will commit to adopting effective integration policies for those who reside legally on their territories.

The Agreement will reaffirm the legal obligation of the Parties to readmit their 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 include concrete provisions on how to translate these obligations into practice and how to ensure that they can be met.

The Agreement will include a commitment by the Parties to ensure that the rights and dignity of individuals are fully protected and respected, including in any procedure initiated to return irregular migrants to their countries of origin. The Parties will agree to strengthen cooperation to facilitate returns and resettlement as well as to facilitate the sustainable reintegration of returnees, in line with the principles of partnership and shared 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, including border control, 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 in accordance with international law and international human rights law, and when applicable, international refugee law and international humanitarian law, support their integration in host countries as appropriate and strengthen capacities of first asylum, transit and destination countries. Particular attention will be paid to persons in vulnerable situations and to their specific needs, including women, children and non-accompanied minors.

### **PART 3 INTERNATIONAL COOPERATION**

The Agreement will affirm that the Parties are committed to a rules-based global order 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 to enhance their effectiveness, accountability and representativeness. Equally, it will serve to promote and support human rights, democracy, 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 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 other international settings.

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 PARTNERSHIP

#### 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 General Part and the Protocol are complementary and mutually reinforcing.

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

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

- build peaceful and resilient societies and address demographic dynamics to meet the legitimate ambitions of current and future European and African generations;
- bolster public and private investment, trade and regional economic integration, and contribute to creating decent jobs for all;
- promote, respect and fulfil human rights; protect women's and girls' equal rights and promote their economic, social and political empowerment, achieve gender equality and ensure that a gender perspective is systematically mainstreamed across all policies; support youth aspirations and counter any form of discrimination and marginalisation that could be conducive to violent extremism;
- tackle inequalities and promote social cohesion with a view to eradicate poverty, leave no-one behind and address the negative effects of protracted humanitarian crises; turn mobility and migration into opportunities and reap the benefits of well-managed migration, stem irregular migration and address its root causes, in full respect of international law and EU and national competences;

- mobilise support for countries to adapt to the impacts of climate change through concerted climate action, and build long-term low-carbon economies, as well as ensure fair access to and the sustainable management of natural resources to unlock untapped economic opportunities, preserve biodiversity and prevent any illicit use, including for sustaining conflicts.

The Agreement will build on, reinforce 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 Partnership through successive Action Plans at national, regional and continental levels. The Agreement will introduce a system to monitor progress, using dialogue at all levels, through a multi-stakeholder approach, based on clear indicators and measurable outcomes, 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 should review the EU-Africa Partnership on a regular basis, 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 deepen partnerships for peace and security at national, regional and continental levels, so as to improve stability and prosperity in both continents.

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

#### ***on peace and security,***

- intensify cooperation, coordination and dialogue (including with the UN and third countries) on all forms of conflict and violence, from prevention and early-warning to lasting peace-building through mediation, crisis management, stabilization, as well as security sector reform;
- support the participation of women in peace processes and mediation efforts, as stated in UN resolution 1325;
- target key drivers of instability, including political, social and economic exclusion, human rights violations, access to land and natural resources, disputed borders, food and water insecurity, and forced displacement of people;
- ensure that violations of international humanitarian law and violations and abuses of international human rights law, including war crimes, crimes against humanity and genocide, as well as the recruitment of child soldiers and gender- and identity based violence are properly investigated and prosecuted;
- ensure the sustainability of peace and security efforts on the continent, including through intensified cooperation between the EU, the AU, RECs and other relevant sub-regional organisations, and support the operationalisation of the African Peace and Security Architecture (APSA);

***on terrorism and organised crime,***

- prevent and counter terrorism in all its forms, addressing those factors that may create an environment conducive to radicalisation and recruitment, including through fostered religious tolerance and inter-religious dialogue;
- fight organised crime and all forms of illicit trafficking (e.g. human beings, weapons, drugs, hazardous material, wildlife, cultural goods);
- enhance maritime security, including by addressing acts of piracy and armed robbery at sea, with a view to achieving safe, effective and economical sea trade flows;
- assess the link between serious and transnational organised crime and terrorism.

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

The Agreement will fortify the determination of the Parties to promote, protect and fulfil human rights and fundamental freedoms, to promote and strengthen democracy and the rule of law, and to ensure accountable, transparent and inclusive governance, with adequate space for individuals and civil society to express their aspirations towards shaping policies, and acknowledging that States are duty-bearers and citizens, both individually and collectively, are rights-holders. Youth, women and girls' rights will receive specific attention and monitoring.

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

***on human rights, fundamental freedoms, and democracy,***

- prioritise the ratification and implementation of the African Charter on Human and Peoples' Rights and the African Charter on Democracy, Elections and Governance;
- apply in full the principle of non-discrimination with regard to ethnicity, gender, age, disability, religion or beliefs, sexual orientation and gender identity, 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, including abuses by security forces;
- promote gender equality and the rights of women and girls, and aim at ending gender-based and domestic violence, sexual and work exploitation;
- promote the rights of the child, aim at eradicating child labour and abuse, and implement the African Charter on the Rights and Welfare of the Child;
- promote the rights of persons with disabilities and take stronger measures to ensure their full inclusion in society;
- ensure inclusive, transparent and credible elections, respecting timely electoral cycles and constitutional provisions;
- support the legislative, budgetary and oversight prerogatives of elected national Parliaments;
- promote pluralistic societies and support, preserve and broaden an enabling space for civil society institutions in advocacy and policy shaping, ensure access to information, ensure freedom of expression, assembly and association, and a free and independent media to hold governments accountable, in order to strengthen a constructive state-citizen relationship;

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

- build inclusive, accountable and transparent public institutions and oversight mechanisms, and promote sound public finance management, as well as the wider use of eGovernment solutions;
- develop robust, secure and inclusive identification systems to ensure the provision of legal identity of every African citizen;
- combat corruption and put legislation in place to curtail illicit financial flows, fraud, and any form of 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, accountable and transparent management of natural resource revenues and adopt reforms to ensure fair, just and sustainable tax policies;
- promote the rule of law at all levels, ensure effective and equitable 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 Human development and dignity**

The Agreement will reaffirm the determination of the Parties to eradicate poverty in all its forms by 2030, to effectively tackle inequality, to promote social cohesion, to achieve gender equality, and to 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 eradicating poverty and fighting inequality, and as an important means to create a self-strengthening cycle towards inclusive and sustainable economic development, as it allows to reinvest economic gains more broadly into society and people.

The Agreement will commit to the promotion, protection and fulfilment of all human rights and to the full and effective Implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development (ICPD) and the outcomes of their review conferences and will commit to sexual and reproductive health and rights (SRHR), in this context. Having that in mind, the Agreement will commit to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. The Agreement will further stress the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including comprehensive sexuality education, and health-care services.

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

***on education,***

- ensure that all have access to quality early childhood development, care and pre-primary education and reach the objective of complete free, equitable and quality primary and secondary education, through strengthened inclusive national education systems at all levels, including in emergency and crisis situations;
- reinforce enrolments and quality in tertiary education, technical and vocational training education, and work-based and adult learning, to ensure the constitution of a critical mass of skilled innovation workers and educated young people;
- promote the use of accessible and affordable digital technologies for education and the development of digital skills and literacy;
- bolster opportunities for collaborative research cooperation in the area of science, technology and research and promote open data and innovation 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;
- support access to medicines, vaccines and diagnostics, towards meeting the target of safe, affordable, and essential medicines and vaccines for all;
- strengthen capacity for early warning, risk reduction and management of national and global health risks, including in the area of animal and plant health;
- promote research and sharing of knowledge, experiences and best practices;

*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, with the goal of progressively reaching universality, through basic income security and adequate and shock-responsive social protection systems;
- 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 as well as avoiding gender occupational segregation;

*on gender equality,*

- ensure that the gender perspective is systematically mainstreamed across all policies;
- sign, ratify and fully implement the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and call on those who have not already done so to sign, ratify and fully implement its optional protocol on women rights;

- ensure girls' and women's physical and psychological integrity, by eliminating all forms of discrimination and gender- and sexual based violence, including trafficking in human beings, female genital mutilation and cutting and other harmful traditional practices, and ending child, early 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 a demographic dividend;
- strengthen girls' and women's voice and participation in political life through an enhanced presence of women in electoral, policy, and governance processes, as well as in peace processes and mediation efforts;
- reinforce the economic rights of women, facilitating their access to economic opportunities and equal pay, financial services and employment, the control and use of land and other productive assets, and supporting women entrepreneurs;

*on youth,*

- step up assistance to youth to support them in acquiring labour market-relevant skills through education, vocational and technical training, access to digital technologies;
- support youth entrepreneurship and promote the creation of sustainable jobs with decent working conditions;
- promote youth empowerment and responsible citizenship, by opening spaces for their active participation in political life and in peace process and mediation efforts, support initiatives of inter-cultural dialogue among youth organisations, and counter the insurgence of violent radicalisation;

*on food and nutrition 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 and the impacts of climate change on food and nutrition security;
- mitigate the exposure of the most vulnerable populations through strengthened social safety nets;
- ensure that the commitments on fighting all forms of malnutrition are implemented and that special attention is paid to populations suffering from malnutrition 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;

*on water management and security,*

- ensure access to safe and sufficient drinking water in order to meet safely-managed levels, including sanitation and hygiene, and safeguard health and levels of well-being;
- ensure sustainable water management and 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, preventing land degradation and desertification, coping with uncertainties of water- related hazards (e.g. floods, droughts and pollution), and preventing the risks of conflicts;
- support adaptation to climate change in the water sector;

*on cultural cooperation,*

- support culture as an engine for sustainable social and economic development;
- promote culture and inter-cultural dialogue and creative industries;
- foster cultural exchanges and carry out joint initiatives in various cultural spheres;
- promote the protection and enhancement of tangible and intangible cultural heritage as well as the diversity of cultural expressions.

**Title IV Inclusive sustainable economic development**

The Agreement will strengthen economic and trade relations between the Parties, improve macroeconomic and financial stability, bolster and promote investment and business opportunities, support economic diversification, and the transition towards full and quality employment, with particular attention to youth and women, respect for and protection of core labour standards, including social dialogue. It will strengthen private sector development in all sectors with a view to enabling that all people benefit from globalisation, regional integration and that economic growth goes hand in hand with environmental sustainability and supports the green economy.

*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 including between the two continents.

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

- consolidate the rule of law, create an enabling and predictable 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 sustainable investment, the reduction of red tape through lowering costs for certifications, licenses and access to finance, as well as to the establishment of effective and transparent tax systems;
- 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 public spending more effective and ensure more strategic use of public finance 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 microfinance;
- foster cooperation and facilitate joint actions at the international level, notably in support of investment facilitation; create mechanisms that promote private investment;
- 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 decent job creation.

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

***on agriculture,***

- boost and diversify agricultural and food production, and strengthen particularly sustainable and climate resilient production practices, in particular through improved access to finance and markets and elimination of incentives that generate unsustainable production systems;
- strengthen the position of agricultural producers and exporters, including smallholders, in local, regional and 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 and strengthening of agro-processing;
- ensure land and inheritance rights for women, their access to finance and markets, as well as to services and agricultural advice;
- 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 sustainable energy access, ensure affordable and reliable access and productive energy for all, including securing access for the most vulnerable, and ensure access to and productive use of energy 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;
- create a regulatory environment that is more conducive to investments in renewable energy and energy efficiency, and 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 extractive commodities,*

- ensure fair, responsible 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 the rights of local communities, 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 interconnectivity,*

- upgrade land transport and urban mobility to facilitate the movement of goods and people, to make it resilient and sustainable, while 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, and consumer protection;
- ensure access to digital technologies and services for all economic actors and citizens, including the creation of a conducive 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;

*on tourism,*

- bolster investment in the tourism 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, paying particular attention to environmental and wildlife protection;
- mainstream sustainable use and conservation of wildlife and biodiversity in tourism policy planning and development;
- promote sustainable, responsible and high-quality tourism, which respects the integrity and interests of local communities.

*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 (including eCommerce and eTrade) conducive to inclusive growth and sustainable development, including through strengthened production capacities and entrepreneurship and increased investments in value-adding 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, 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 V Mobility and migration**

The Agreement will build on existing initiatives (e.g. European Agenda for Migration, the Partnership Framework on Migration, Rabat and Khartoum processes, Valletta Summit, EU-AU continental dialogue). It will be guided by the principles of solidarity, partnership and shared responsibility. It will acknowledge that African and European interests on migration are intertwined and that, when well-managed, migration and mobility can be a source of prosperity, innovation and sustainable development.

While respecting EU and national competences, and within the existing legal frameworks, the Agreement will acknowledge the need for continuous and increased political buy-in from all parties in order to manage migratory flows in all their aspects, tackle related cross-border challenges, continue national work on regular migration and mobility, save lives, ensure protection, tackle root causes, stem irregular migration, enhance cooperation on return, readmission and sustainable reintegration, and address vulnerabilities of people subject to forced displacement.

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

### ***on legal migration,***

- increase knowledge transfer and sharing through regulated and enhanced mobility schemes for students, researchers, and professionals;
- facilitate visits for business and investment purposes;
- develop pathways towards an effective management of labour migration, appropriate social protection and the fight against all forms of exploitation;

*on irregular migration,*

- stem irregular migration through enhanced cooperation on integrated border management, improve information and data gathering and sharing, and foster police and judicial cooperation, with particular reference to countries of transit of large migratory flows;
- confirm the legal obligation 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 will commit to responding swiftly to readmission requests (in particular, 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). Appreciation of the implementation of these commitments is integrated in the regular political dialogue between the Parties;
- 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;
- intensify action against networks of smugglers and traffickers through improved information-sharing systems, investigations and criminal prosecutions;
- support the development and implementation of national systems for the identification of all citizens;
- launch awareness campaigns on the risks related to irregular migration as well as on possibilities related to legal migration;

*on other 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 and support diaspora engagement in countries of origin, in public life and with a view to boosting local economic development;
- ensure that south-south migration is adequately addressed in national and regional African development policies;
- secure a high level of protection and assistance to forcibly displaced persons, including refugees, asylum seekers and internally displaced persons, in full compliance with international law.

**Title VI Environmental sustainability, 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 (NAPs);
- 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;
- enhance knowledge and capacity on policy options and best practices to improve resource efficiency along the entire life-cycle of natural resources and products;
- develop and/or strengthen green and blue growth in key economic sectors, including agriculture and transport;
- design long-term strategies to reduce greenhouse gas emission and ensure comprehensive disaster risk management, including through risk-finance and risk-transfer solutions;

*on biodiversity and ecosystems,*

- promote the conservation, sustainable management and use, and restoration of ecosystems and biodiversity, notably in the Congo Basin, in view of enabling the development of countries, improving the livelihoods for local population and the delivery of ecosystem services locally and globally, and of enhancing the implementation of the Convention on Biological Diversity;
- protect wildlife and increase public awareness about wildlife protection, poaching 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;
- 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 ocean governance,*

- preserve and restore coastal and marine areas and their biodiversity, prioritizing the sustainable development of the fisheries and tourism sectors, in the context of blue growth strategies;

- fight illegal, unreported and unregulated (IUU) fishing and support the development of sustainable fisheries management, including the reduction of marine noise pollution;
- reduce marine debris, targeting the root causes of marine litter, including through waste prevention policies and scale-up ocean and coastal clean-up operations, paying particular attention to accumulation zones in ocean gyres;
- support the regulation of CO2 emissions related to maritime transport;
- 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, especially focusing on the most vulnerable households and marginalised groups,

*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), its Land Degradation Neutrality (LDN) targets 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 sustainable management and use of forest resources, limit deforestation and 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 authorities and 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, social and political environment for sustainable urban development, 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 – including through efficient collection systems and effective recycling – and all hazardous substances, and address all forms of pollution;
- promote nature-based solutions to enhance resilience in urban areas ensure that services and infrastructure provisions are designed to be climate and environmental friendly and resources efficient.

## 4. EU-CARIBBEAN PARTNERSHIP

### 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 General Part and the Protocol are complementary and mutually reinforcing.

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 2030 Agenda 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 its impact, 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 contribute to creating decent jobs for all;
- build safe and inclusive societies; protect women's and girls' equal rights and promote their economic, social and political empowerment, achieve gender equality and ensure that a gender perspective is systematically mainstreamed across all policies; provide viable alternatives for youth, supported by efficient social protection policies;
- achieve progress in tax governance and in the fight against corruption, money laundering, organised crime.

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

The Agreement will strengthen the close links the EU's Outermost Regions (ORs) and the Overseas Countries and Territories (OCTs) have with the Caribbean countries. The Agreement will take measures to reinforce their role in regional integration and cooperation, as well as regional political processes and organizations, including in the domain of climate change, conservation and sustainable management of natural resources. OCTs will be granted observer status in the regional partnership, when appropriate.

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

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

## **Part 2 STRATEGIC PRIORITIES**

### **Title I Environmental sustainability, 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 to which Caribbean countries are particularly vulnerable, 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;
- enhance knowledge and capacity on policy options and best practices to improve resource efficiency along the entire life-cycle of natural resources and products;
- develop and/or strengthen green and blue growth in key economic sectors;
- design long-term strategies to reduce greenhouse gas emission and comprehensive disaster risk management, including risk finance and risk transfer solutions;

*on biodiversity and ecosystems,*

- support the conservation, the sustainable management, and the restoration of ecosystems, in view of enabling the development of countries, of improving the livelihoods of local populations and the delivery of ecosystem services locally and globally, and of enhancing the implementation of the Convention on Biological Diversity;
- limit 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 and address all forms of pollution, including the reduction of marine noise pollution;

*on ocean governance,*

- preserve and restore 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;
- support the regulation of CO<sub>2</sub> emissions related to maritime industry;
- 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, especially focusing on 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, including social dialogue. It will strengthen private sector development in all sectors, including agriculture, industry and services, with a view to enabling all people to benefit from globalisation and ensuring that economic growth goes hand in hand with environmental sustainability and supports the green economy.

*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, water and sanitation, digital connectivity) - as well as research and innovation 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 sustainable 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 and in the EU, facilitating administrative procedures for setting up business;
- make public spending more effective and make more strategic use of public finance, 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 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 and supports the green economy.

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

***on 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, responsible and undistorted access to extractive sectors, including seabed mining, for all economic players, fully respecting the sovereignty of each country over its natural resources and the rights of local communities, and taking into account sustainability concerns promoting environmentally sound practices, 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 sustainable energy access for all and ensure affordable and reliable access and productive use of energy for all economic players;
- bolster investments, especially 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 tourism 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;
- mainstream 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 and maximize their involvement;

*on connecting people and places,*

- build quality and sustainable infrastructure systems to facilitate connectivity and the movement of goods and people, promoting sound environmentally practices in compliance with established international conventions and agreements;
- ensure open, free and safe 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, interconnectivity 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 as well as with the wider region including the OCTs 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 (including eCommerce and eTrade) 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 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, 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 individuals 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,***

- counter the cultivation, production, trafficking and consumption of illicit drugs and put a special focus on demand-side, prevention and education;
- tackle trafficking of small arms and light weapons and other conventional weapons, strategic trade control of dual-use items, through enhanced border control management, information and data gathering and sharing, and the exchange of experts and technical assistance;
- address crime and 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 migration management,***

- improve the management of migration including through enhanced cooperation on integrated border management and information and data gathering and sharing, and intensify action against trafficking in human beings, forced displacement and the smuggling of migrants, in full respect of human rights;
- confirm the legal obligation of the Parties to readmit their nationals irregularly present on the territory of another Party at the latter's request and without conditionality;

*on human rights and justice,*

- apply in full the non-discrimination principle in regard with ethnicity, gender, age, disability, religion or beliefs, sexual orientation and gender identity, 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;
- promote gender equality, end gender-based and domestic violence, sexual and work exploitation, promote the rights of the child, end child labour, child abuse and corporal punishment, combat all forms of exploitation for profits, in both legal and illegal economies, in particular by signing and ratifying the forced labour protocol of the ILO of 2014;
- strengthen institutions and rule of law, ensuring effective and equitable 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;
- build inclusive, accountable and transparent public institutions, including the wider use of eGovernment solutions;
- establish new mechanisms and strengthen existing ones against corruption, bribery and white collar crime including money laundering and illicit financial flows;

- tackle tax fraud, tax evasion and aggressive tax planning, paying particular attention to increasing tax transparency, exchange of information and fair tax competition and fight against illicit financial flows, 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;
- promote freedom of expression and media independence as pillars of democracy, and facilitate, preserve and broaden an enabling space for civil society.

#### **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 means to create a self-strengthening cycle towards inclusive and sustainable economic development, by reinvesting economic gains more broadly into society and people and increasing social resilience.

The Agreement will commit to the promotion, protection and fulfilment of all human rights and to the full and effective Implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development (ICPD) and the outcomes of their review conferences and will commit to sexual and reproductive health and rights (SRHR), in this context. Having that in mind, the Agreement will commit to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. The Agreement will further stress the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including comprehensive sexuality education, and health-care services.

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 and technical and vocational education training are significantly improved, through strengthened and inclusive national education systems at all levels, and promote the use of accessible and affordable digital technologies for education and the development of digital skills and literacy;
- achieve universal health coverage and equitable access to health services, including through strengthened national health systems at all levels and enhance capacity for early warning, risk reduction and management of national and global health risks;
- ensure access to safe and sufficient drinking water in order to meet safely-managed levels, 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;
- adopt targeted policies and appropriate investment to promote young people's rights, facilitate their engagement in social, civic and economic life;
- harness the benefits of regular migration, by facilitating mobility schemes for students, researchers, and professionals as well as visits for business and investment purposes within the existing legal frameworks;
- address the challenges posed by environmentally-induced migration and forced displacement and its impact on migrants and their communities;
- promote the protection and enhancement of tangible and intangible cultural heritage,

*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 with the aim of progressively reaching universality, through basic income security, adequate and shock- responsive social protection systems;
- 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 social protection for all, as well as access to credit and micro-finance, with a view to facilitating a smoother transition to the formal economy;

*on gender equality,*

- ensure that the gender perspective is systematically mainstreamed across all policies;
- sign, ratify and fully implement the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and call on those who have not already done so to sign, ratify and fully implement its optional protocol on women rights;
- ensure girls' and women's physical and psychological integrity, by eliminating all forms of gender- and sexual-based violence, including trafficking in human beings and ending child, early 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, social, and economic 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 economic opportunities, financial services, and employment, 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, reducing poverty and social inequalities, and addressing vulnerabilities to extreme weather and climate events.

## 5. EU-PACIFIC PARTNERSHIP

### 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 General Part and the Protocol are complementary and mutually reinforcing.

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 2030 Agenda 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 contribute to creating decent jobs for all;
- build inclusive and secure societies, including by supporting reconciliation processes;
- protect women's and girls' equal rights and promote their economic, social and political empowerment, achieve gender equality, ensure that a gender perspective is systematically mainstreamed across all policies, and step-up efforts on human development and social protection policies;
- achieve progress in the fight against corruption, money laundering, organised crime and tax governance.

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

The Agreement will strengthen the close links the Overseas Countries and Territories (OCTs) have with the Pacific countries. The Agreement will take measures to reinforce their role in regional integration and cooperation, as well as regional political processes and organizations, including in the domain of climate change and sustainable management of natural resources. OCTs will be granted observer status in the regional partnership, when appropriate.

The Agreement will contain a commitment by the Parties to implement the EU-Pacific Partnership through successive Action Plans at national and regional levels. The Agreement will introduce a system to monitor progress, using dialogue at all levels, through a multi-stakeholder approach, using clear indicators and measurable outcomes, to ensure that implementation is on track.

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

## **Part 2 STRATEGIC PRIORITIES**

### **Title I Environmental sustainability, 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;
- enhance knowledge and capacity on policy options and best practices to improve resource efficiency along the entire life-cycle of natural resources and products;
- 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;
- design long term strategies to reduce greenhouse gas emission and comprehensive disaster risk management, including risk finance and risk transfer solutions;

*on biodiversity and ecosystems,*

- support the conservation, the sustainable management, and the restoration of ecosystems, in view of enabling the development of countries, of improving the livelihoods of local populations and the delivery of ecosystem services locally and globally, and of enhancing the implementation of the Convention on Biological Diversity;
- limit 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 and address all forms of pollution, including the reduction of marine noise pollution;

*on ocean governance,*

- preserve and restore 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 and coastal clean-up operations, paying particular attention to accumulation zones in ocean gyres;
- support the regulation of CO<sub>2</sub> emissions related to maritime industry;
- 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, 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, including social dialogue. It will strengthen private sector development in all sectors, including agriculture, industry and services, with a view to enabling all people to benefit from globalisation and ensuring that economic growth goes hand in hand with environmental sustainability and supports the green economy.

*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, 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 sustainable 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 and the EU, facilitating administrative procedures for setting up business;
- make public spending more effective and make more strategic use of public finance, 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 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 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, responsible and undistorted access to extractive sectors, including seabed mining, for all economic players, fully respecting the sovereignty of each country over its natural resources and the rights of local communities, and taking into account sustainability concerns promoting environmentally sound practices, 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 sustainable energy access for all and ensure affordable and reliable access and productive use of energy for all economic players;
- bolster investments especially 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 tourism 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 and maximize their involvement;

*on connecting people and places,*

- build quality and sustainable infrastructure systems to facilitate the movement of goods and people, promoting environmentally sound practices in compliance with established international conventions and agreements;
- ensure open, free and safe 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, interconnectivity and integration with the EU's Overseas Countries and Territories (OCTs);
- foster and support regional integration processes within the Pacific.

### *Trade cooperation*

The Agreement will aim to foster trade and investment opportunities between the Parties as well as with the wider region including the OCTs 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 and the right domestic policies 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 (including eCommerce and eTrade), job creation, economic diversification and industrialisation, including through strengthened production capacities and entrepreneurship, increased investments in value-adding sectors, and insertion into global and regional value chains;
- build upon, foster and support regional integration processes, to help countries benefit from trading with their neighbours and contribute to fostering regional stability, cohesion and prosperity;
- 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, 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 individuals 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 conflict prevention initiatives for all forms of conflict and violence, including identity based violence, and reconciliation processes;
- address illicit traffic in small arms, light weapons, and drugs currently as well as the issue of integration of criminal deportees from metropolitan countries;
- develop cooperation on and protection of maritime and airspace surveillance, including on identifying and de-registering illegally flagged vessels, and identify needs and means to counter cybercrime;
- strengthen governance systems to stem 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;

- confirm the legal obligation of the Parties to readmit their nationals irregularly present on the territory of another Party at the latter's request and without conditionality;
- foster cooperation and local initiatives on mitigation and adaptation to climate change, understanding the importance of its impact on peace and security;

*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 and gender identity, 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, end gender-based and domestic violence, sexual and work exploitation, promote the human rights of the child, end child labour, child abuse and corporal punishment, combat all forms of exploitation for profits, in both legal and illegal economies;
- 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 and indigenous peoples, in line with human rights principles and standards, including the right to participate in decision making affecting their individual or collective rights;

*on good governance and tax matters,*

- build inclusive, accountable and transparent public institutions, including the wider use of eGovernment solutions;
- promote good governance and establish new mechanisms and strengthen existing ones against corruption, bribery, and money laundering in line with 2015 Denarau Declaration of Human Rights and Good Governance;
- 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;
- promote freedom of expression and media independence as pillars of democracy, and facilitate, preserve and broaden an enabling space for civil society.

**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 and increasing social resilience.

The Agreement will commit to the promotion, protection and fulfilment of all human rights and to the full and effective Implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development (ICPD) and the outcomes of their review conferences and will commit to sexual and reproductive health and rights (SRHR), in this context. Having that in mind, the Agreement will commit to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. The Agreement will further stress the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including comprehensive sexuality education, and health-care services.

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

***on human development,***

- ensure that all complete free, equitable and quality pre-primary, primary and secondary education and that enrolments in tertiary education and technical and vocational education training are significantly improved through strengthened and inclusive national education systems at all levels, and promote the use of accessible and affordable digital technologies for education and the development of digital skills and literacy;
- achieve universal health coverage and equitable access to health services, including through strengthened national health systems at all levels and enhance capacity for early warning, risk reduction and management of national and global health risks;
- ensure access to safe and sufficient drinking water in order to meet safely-managed levels, 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;
- adopt targeted policies and appropriate investment to promote young people's rights, facilitate their engagement in social, civic and economic life;

- facilitate mobility schemes for students, researchers, and professionals as well as visits for business and investment purposes within the existing legal frameworks;
- address the challenges posed by climate- and environmentally-induced migration and forced displacement and its impact on migrants and their communities;
- promote the protection and enhancement of tangible and intangible cultural heritage;

***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 with the goal of progressively reaching universality, through basic income security and adequate and shock-responsive social protection systems;
- 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 social protection for all as well as 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 the gender perspective is systematically mainstreamed across all policies;
- sign, ratify and fully implement the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and call on those who have not already done so to sign, ratify and fully implement its optional protocol on women rights;
- ensure girls' and women's physical and psychological integrity, by eliminating all forms of gender- and sexual-based violence and ending child, early 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 economic opportunities, financial services and employment, 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, in line with the Addis Ababa Agenda for Action, will 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 the possibility of third country participation, and including through innovative financing sources and instruments, knowledge, expertise, capacity building, technology and non-financial resources, and South-South and triangular cooperation consistent with development effectiveness principles.

The Agreement will reiterate the EU's commitment to continued support and collaboration with partner countries towards generating mutually beneficial outcomes. The EU financial commitment will be based on partners' capacities, needs and performance, taking into account specific situations.

The EU will reaffirm its political and 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, as detailed in the European Consensus on Development.

The EU will also reaffirm its resolve to focus its financial assistance where it is most needed and can have most impact, particularly the LDCs and countries in situations of fragility and conflict. Specific attention will be paid to the challenges faced by middle-income countries (MICs), particularly related to inequality and social exclusion; specific attention will also be paid to the specific vulnerability and fragility challenges faced by SIDS. The EU will reaffirm their existing political commitments to scaling up the mobilisation of climate finance as part of a global effort.

The EU's partner countries will confirm their commitment to mobilising domestic resources, including public finances in view of achieving the sustainable development goals. They will endeavour to increase the efficiency and effectiveness of their public expenditure and public debt, reform their tax policy and administration, improve on revenue collection, promote anti-corruption measures, and tackle tax evasion and avoidance and illicit financial flows, including in tax havens. They will also commit to implementing global tax governance standards set by relevant international bodies.

The Agreement will acknowledge that private sector capital flows are vital complements to national development efforts. The Parties will develop policies and, where appropriate, strengthen regulatory frameworks to better align private sector incentives with public goals and foster long-term quality investment, responsible business conduct, and responsible value chains.

The Agreement will acknowledge that remittances are a key private source of financing for development. The Parties will commit to promote cheaper, faster, and safer transfers in both source and recipient countries, including via mobile and internet banking services, 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 partner countries, including 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: democratic ownership of development efforts, alignment to development plans and priorities of partners, inclusive development partnerships, focus on results, transparency and mutual accountability.

The Agreement will state that different and complementary modalities and modes of aid delivery will be used, depending on each country's and region's capacities, needs and performance. The choice between the aid delivery modalities and modes will also take into account debt sustainability.

The Agreement will state that the EU and its Member States will further improve the way in which they deliver their cooperation, including by working together better, notably by improving effectiveness and impact through greater coordination and coherence, and by applying the development effectiveness principles and taking into account their respective comparative advantages, including transition experiences. Joint programming will be promoted and strengthened, while being kept voluntary, flexible, inclusive and tailored to the country context, in view of a more coherent, effective and coordinated support to partner countries to achieve shared objectives. Joint implementation will be pursued whenever appropriate. Partner country engagement and ownership are essential for this process.

## **7. INSTITUTIONAL FRAMEWORK**

### **Actors**

The Agreement will reaffirm that governments in partner countries play a central role in the Partnership, defining and implementing 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 while acknowledging the respective strengths and limits of these organisations.

The Agreement will recognise, support and strengthen the role of civil society and private sector as key partners in realising the objectives of the Partnership. Civil society and, the private sector, will be consulted and be able to provide input into the broad process of political and policy dialogue, and into the decision-making processes. The Agreement will contain a commitment to enhance support for building the capacity of CSOs, to strengthen their voice in dialogues on policies, budgets and aid priorities at country, regional and continental levels, and to advance political, social and economic dialogue.

### **Institutional provisions**

The Agreement will include provisions on a reformed institutional architecture to govern the Partnership. The institutional architecture will be based on the application of the principles of subsidiarity and complementarity, reflecting the shift of the centre of gravity to the three regional partnerships, and ensuring increased coherence and streamlining of the different existing structures.

As for the three regional partnerships, Summit meetings of Head of State and Government will provide the necessary strategic political steering and ensure a coherent regional approach.

Each regional partnership will be governed by a regional ministerial Council, entrusted with the tasks of conducting political dialogue, and of taking all formal decisions pertaining to the implementation or revision of the regional partnership Protocol.

When appropriate, each Council may decide to invite third parties as observers.

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 Partnership. 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.

As regards the EU-Africa Partnership, the Heads of State and Government Summits and the Ministerial meetings will provide political steering and will continue to involve the countries of North Africa. The Agreement will include provisions to incorporate, where needed, decisions taken at Summit and ministerial levels into the regional EU-Africa Partnership. The Agreement will contribute to facilitating an effective, efficient and coordinated response to regional and continental issues affecting both North African and sub-Saharan countries. Appropriate mechanisms will be defined to ensure that relevant decisions are compatible with the European Neighbourhood Policy.

Relevant regional organisations (e.g. African Union) will be assigned a prominent role in governing the regional partnerships, taking into account their capacity and performance. The Agreement will, when appropriate, ensure that sub-regional organisations (e.g. regional economic communities in Africa) are involved in the respective regional ministerial Council meetings, thus enhancing coherence with existing arrangements.

The Agreement will provide for each Ministerial Council the possibility to set up an Operational Committee, to which it may delegate some of its power for the fulfilment of its tasks. The participation of the Parties in the Operational Committee will be envisaged, as appropriate.

The Agreement will foresee a parliamentary dimension at the level of each regional partnership, using existing structures where available (e.g. EP-PAP meetings). Parliamentary meetings should take place in view of the respective Council meetings.

The Agreement will also foresee specific dialogue and consultation mechanisms with all relevant stakeholders including local authorities, civil society and private sector representatives at the level of the regional partnerships. Such meetings should take place in view of the respective Council meetings, and will be based on existing dialogue structures where available.

As regards the governance of the overall partnership agreement an EU-ACP Ministerial Council may take place, upon agreement by the Parties, in principle every three years and when needed, to provide strategic political steering on issues that concern all Parties, agree upon joint positions and implement shared political commitments on international cooperation defined by the Agreement. In case the Ministerial Council doesn't meet during this period, the parties shall annually reassess the need to convene it.

The Agreement will include provisions and flexible procedures that allow interested Parties to deepen dialogue and cooperation on specific thematic and cross-regional issues, at the most appropriate level.

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 recognize that the Foundation's principles and values are long-lasting, whilst the three regional partnerships (Protocols) are action-oriented and should be reviewed on a regular basis.

The Agreement will be concluded for an initial period of 20 years. Three years before the expiry of the Agreement, a process with a view to re-examining what provisions should govern their future relations will be initiated. Unless a decision on terminating or extending the agreement is taken by the Parties, the Agreement will be tacitly renewed for a maximum period of 5 years, until new provisions or adaptations have been agreed upon by all Parties.

The Agreement will include a rendezvous clause for a comprehensive revision of the strategic priorities of the Foundation and the regional partnerships (Protocols), after the expiration of the 2030 Agenda.

The Agreement will include a provision establishing that, upon request of one of the two Parties and on the basis of a decision adopted by the EU-ACP Council, the Foundation of the Agreement will be amended according to the procedures laid down for the ratification and entry into force of the Agreement.

The Agreement will include a provision stating that the regional partnerships (Protocols) may be amended when needed on a regular basis, via a simplified procedure, upon request of one of the two Parties and on the basis of a decision adopted by the respective Councils. The Agreement will set out the procedures for such regular reviews.

The Agreement will include a provision stating that the Parties may terminate the Agreement, and will set out the procedures for such termination.

### **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 considers 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 and effective dispute settlement mechanism in case of divergence in the application, interpretation and implementation of the Agreement.

### **Accession**

The Agreement will include a provision establishing that third countries, which have an added value in fostering the objectives of the Partnership and share the same principles and values, may accede to and are welcome in the Partnership. The Agreement will establish the criteria and mechanisms for accession to the Agreement of an independent state. A third country acceding as full member will enjoy the same rights and be subject to the same obligations as the members of the Partnership. The Agreement will also foresee the possibility for accession of regional organisations.

### **Observer status**

The Agreement will include a provision establishing that third parties, which subscribe to the values and principles underpinning the Agreement and which have an added value in fostering the specific objectives and priorities of the Partnership, may be granted a status of observer.

### **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.