

ACP-EU COTONOU AGREEMENT

**AFRICAN, CARIBBEAN AND
PACIFIC GROUP OF STATES**

**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 8 March 2017

ACP/22/001/17

ACP-UE 2101/17

OUTCOME OF PROCEEDINGS

of: 66th meeting of the ACP-EU Committee of Ambassadors
on: 4 March 2016
at: Justus Lipsius Building, Rue de la Loi 175, 1048 Brussels
Subject: Outcome of proceedings of the 66th meeting of the ACP-EU Committee of
Ambassadors on 4 March 2016

The 66th meeting of the ACP-EU Committee of Ambassadors took place on 4 March 2016 under the chairmanship of H.E. Mr Pieter DE GOOIJER, Ambassador of the Netherlands and Chair of the Permanent Representatives Committee of the European Union.

The meeting was co-chaired for the ACP side by H.E. Mr Roger Julien MENGA, Ambassador of the Republic of the Congo, Chairman of the ACP Committee of Ambassadors.

The Commission was represented by Mr Klaus RUDISCHHAUSER, Director General a.i. of DG DEVCO and Ms Sandra GALLINA, Director for Sustainable Development, Economic Partnership Agreements, Agri-food and Fisheries in DG Trade. The EEAS was represented by Mr. Koen VERVAEKE, Managing Director for Africa.

1. Adoption of the provisional agenda

The Committee adopted the agenda as set out in ACP/22/002/16 - ACP-UE 2107/16, with a change in the order of business, deciding to treat item F before item D.¹

2. Adoption of the outcome of proceedings of the 65th meeting of the ACP-EU Committee of Ambassadors on 17 April 2015

The Committee approved the summary record of the previous meeting [ACP/22/001/16 - ACP-UE 2102/16].

3. Preparation of the 41st session of the ACP-EU Council of Ministers

A. Implementation of the 2030 Agenda for Sustainable Development

The EU side expressed its commitment to play a full, active and constructive role in the implementation of the 2030 Agenda for Sustainable Development, in cooperation with all partners and stakeholders, including the follow-up and review process. It highlighted the importance of bringing the ACP-EU Partnership in line with the Sustainable Development Goals.

The ACP side also underlined the importance of taking concrete steps to better align the ACP and EU priorities and positions in order to successfully implement Agenda 2030. It expressed its readiness to extend the ACP-EU partnership so as to successfully implement the 2030 Agenda for Sustainable Development.

The Committee agreed that the ACP and the EU side should continue this discussion in an open and constructive manner.

¹ Due to the change of order of items, Item F became Item D, Item D became Item E and Item E became Item F.

B. Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC)

The EU side expressed its support for the timely signature, the swift ratification and the full implementation by all Parties of the Paris Agreement, as well as its intention to encourage the other Parties to update their Intended Nationally Determined Contributions in order to raise ambitions towards the fulfilment of agreed goals. It stressed that the important synergies between climate objectives and sustainable development goals should be fully taken into account.

The ACP side recalled the perspective of LDCs, SIDS and other vulnerable ACP countries. It added that other issues addressed by the Paris Agreement include a long term mitigation goal, adaptation, finance, technology development and transfer, capacity building and transparency of action and support.

The Committee agreed that the two sides maintain their commitment to working closely together on the implementation of the Paris Agreement.

C. Migration

The EU side underlined the importance of the ACP-EU cooperation on migration for the successful implementation of the Action Plan agreed at the Valletta Summit. It informed the Committee of the steps taken since the setting up of the Valletta Trust Fund and elaborated on how the joint ACP-EU action can be strengthened in this field.

The ACP side referred to the complexity and dynamic mix of cultural, economic and security issues which imply that the migration crisis needs to be tackled on several fronts. The most urgent need was to address the humanitarian emergency, however, in the long run, only effective international cooperation will ensure that migration plays a positive role in contributing to poverty alleviation and the attainment of sustainable development. It also stressed the importance of continuing the ACP-EU dialogue on migration.

The Committee took note of the information provided and decided this information would be brought to the attention of Ministers.

D. Development Finance Cooperation

- **Information on the Activities of the ACP-EU Committee on Development Finance Cooperation**

The Committee of Ambassadors took note of the results of the 33rd meeting of the ACP-EU Committee on Development Finance Cooperation (authorised representatives) held on 16 February 2016.

E. Revision of Annex II to the ACP-EU Partnership Agreement

The EU side informed the Committee about the importance of the revision of Chapter 3 of Annex II in order to alleviate the macro-economic instability that results from exogenous shocks which may adversely affect the development of the ACP States and jeopardise the attainment of development requirements. The proposal is based on past experiences and on the evaluation of the FLEX and V-FLEX mechanisms, and aims at further enhancing the effectiveness of the shock absorption mechanism.

The Committee endorsed the conclusions of the Development Finance Cooperation Committee that had recommended to the ACP-EU Council of Ministers to grant a delegation of powers to the ACP-EU Committee of Ambassadors to amend Chapter 3 of Annex II to the Cotonou Agreement, and agreed to submit them for adoption to the ACP-EU Council at its meeting in April 2016.

F. Revision of Annex III to the ACP-EU Partnership Agreement

The EU side stressed its commitment to implement fully the Nairobi Joint Declaration on the CDE and the mandate received from the ACP-EU Council of Ministers in 2014, and underlined the importance of the revision of Annex III as one of the last major steps in the process of the closure. It invited for additional efforts to be made so that the successful adoption of the revision can be announced as soon as possible, and possibly at the next meeting of the ACP-EU Council of Ministers in April 2016.

The ACP side raised various issues, including the following: (a) the rationale behind the 5 year duration of the passive phase; (b) the dissolution of the Executive Board following the discharge of the accounts, which should occur, at the latest, one year following the CDE's closure, that is 31 December 2017; (c) coherence and continuity with the Curator's Terms of Reference; (d) the conclusion of the current (incomplete) social dialogue; (e) the uncertainty and duration of pending or upcoming disputes at the ILO Administrative Court; (f) the transfer of good practices to a third structure via the ACP Secretariat and (g) the financial implications of the decision (real total budget of the passive phase, source of financing). Due to these many pending issues and the need to adhere to the ACP Group's internal consulting procedures, the ACP side recommended to continue to work with a view to adoption through written procedure by 30 June 2016. It also recommended that the report be presented to the ACP-EU DFC Ministerial to continue the work on the revision of Annex III and present a progress report to the ACP-EU Council of Ministers in April 2016.

The Committee agreed to the adoption of the Decision regarding the revision of Annex III to the ACP-EU Partnership Agreement by written procedure as soon as possible, and by 30 June 2016 at the latest.

G. Trade cooperation

- **Follow-up to the 73rd meeting of the ACP-EU Subcommittee on Trade Cooperation**
- **EPAs: state of play of negotiations and implementation**
- **10th WTO Ministerial Conference**

The Commission gave an oral presentation of the main outcomes of the 73rd meeting of the ACP-EU Subcommittee on Trade Cooperation held in Brussels on 23 February 2016. It also provided a brief overview of the EPAs being implemented and negotiated. The Commission stressed that the implementation of EPAs which had been signed was proceeding well, and there had been a lot of progress over the previous year in several regions, where EPAs were initialled and were currently prepared for signature. The Commission also presented the outcomes of the negotiations at the WTO Ministerial Conference and the proposed way forward.

The ACP side confirmed that the report of the 73rd meeting of the Subcommittee was a true reflection of the deliberations. Regarding EPAs, it called for flexibility and facilitation of the transition from interim Agreements to full EPAs for the regions concerned, so that the implementation can take place. It also requested continuous information sharing under Article 12 of the ACP-EU Partnership Agreement. Concerning the 10th WTO Ministerial Conference, it underlined the importance of enhancing close ACP-EU cooperation in international fora, also in view of the 14th session of UNCTAD in July 2016.

The Committee took note of the report of the 73rd meeting of the Subcommittee on Trade Cooperation and of the comments made by the ACP side and the Commission. The Committee took note of the state of play of EPA negotiations and noted that the issue would be further discussed at the meeting of the ACP-EU Council of Ministers in April 2016. Regarding the 10th WTO Ministerial Conference, the Committee of Ambassadors discussed its outcomes and the way forward, and decided to bring them to the attention of the ACP-EU Council in April 2016.

H. EU Global Strategy on Foreign and Security Policy

The European External Action Service informed the Committee of the revision of the EU Strategy in order to guide its global actions in the future.

The ACP side expressed its readiness to cooperate with the EU side within the Cotonou Framework as well as in international fora to address common security challenges.

The Committee took note of the information provided.

I. Provisional agenda of the ACP-EU Council of Ministers

The Committee agreed the provisional agenda of the ACP-EU Council of Ministers (as set out in ACP/21/002/16 - ACP-UE 2111/16).

4. Any other business

The Commission informed the Committee about the state-of-play of the internal reflection process on the EU side concerning the ACP-EU relations after 2020.

The European External Action Service provided information on the African Peace Facility.