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(OR. en)**

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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 2)/Council

Subject: Memorandum of Understanding between the European Union and the
Federative Republic of Brazil on International Cooperation
- Approval

1. The proposed Memorandum of Understanding aims to facilitate the coordinated implementation of international cooperation activities carried out jointly by the European Union and Brazil through their respective cooperation structures.
2. The envisaged date for signature by the Commission on behalf of the Union is, in principle, in the margins of the next EU-CELAC Foreign Ministers Meeting in July 2018 or during an earlier bilateral meeting.
3. It is necessary that the Council approve the signing of the Memorandum of Understanding by the Commission on behalf of the EU.

4. Having examined the text of the Memorandum of Understanding, the Working Party on Latin America and the Caribbean agreed on 17 April 2018 on the text annexed to this note.

 5. In light of the above, and subject to confirmation by the Permanent Representatives' Committee, the Council is invited to approve the signing of the Memorandum of Understanding by the Commission on behalf of the Union.
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**Memorandum of Understanding between the European Union and the Federative Republic of
Brazil on
International Cooperation**

Introduction

The purpose of this Memorandum of Understanding is to facilitate the coordinated implementation of international cooperation activities carried out jointly by the European Union, represented by the European Commission, and the Federative Republic of Brazil (hereafter referred to either as 'both Sides' or as the 'two Sides'), through their respective cooperation structures.

The cooperation between the European Union and the Federative Republic of Brazil is covered by the 'Framework Agreement for Cooperation', signed on 29 June 1992, which entered into force in 1995. Moreover the European Union and the Federative Republic of Brazil have established a Strategic Partnership since 2007. Under this partnership, the two Sides have reiterated in each Summit their support to South-South development cooperation and trilateral cooperation initiatives.

Since then, the legal and political framework for EU external action has evolved. The new 'European Consensus on Development', adopted in 2017, calls, inter alia, for the adjustment of the EU's development policy to the changing needs of the partner countries. Also, Regulation (EU) No 233/2014 establishing a financing instrument for development cooperation provides that the European Union shall support South-South and trilateral cooperation.

International technical cooperation initiatives carried out by the Brazilian Government are guided by the Brazilian Cooperation Agency's Strategy Document, which is based on the South-South cooperation principles, also applied to trilateral cooperation, including: promotion of national autonomy in the formulation and management of public development policies; horizontality in cooperation initiatives and balance of interests; mutual benefit; respect for the sovereignty and non-interference of one cooperating party in the internal affairs of another; absence of conditionalities; recognition and use of local experiences and capacities; and focus on the development of human, institutional and productive capacities as the basis for achieving qualitative, measurable and durable advances.

The European Union and the Federative Republic of Brazil are committed to develop South-South and trilateral cooperation at global level, in accordance with the 2030 Agenda for Sustainable Development and share an interest in deepening their partnership.

Both the European Union and the Federative Republic of Brazil recognise that global challenges have a cross-border nature that requires a response which goes beyond the national frameworks and that international cooperation between the European Union and the Federative Republic of Brazil in third partner countries should, among other things:

- come under the priorities outlined in the 2030 Agenda for Sustainable Development;
- be pursued with the ultimate goal of contributing to poverty eradication in the context of sustainable development;
- respect and promote human rights and democratic principles;
- promote a better use of the internal resources of partner countries;

- build on the priority sectors jointly identified between the European Union, the Federative Republic of Brazil and the beneficiary third partner country, and in which the European Union and the Federative Republic of Brazil have an interest in contributing with their own resources;
- be solidly grounded on a request originating in the beneficiary third partner country in order to strengthen ownership.

Taking into consideration the above elements, the two Sides agree to endeavour to cooperate as follows:

Partnership

The two Sides envisage to work together and to pool their efforts, resources, skills and knowledge to address poverty eradication and to promote sustainable development in accordance with the strategy set out in the 2030 Agenda for Sustainable Development.

The two Sides acknowledge that sustainable development requires a multi-sectoral approach and the active involvement of key partners, taking into account the characteristics of the development cooperation models of Brazil and of the European Union. The initiatives should be demand driven and owned by the Governments of the third partner countries. They should also be in accordance with the strategies, programmes and plans of the two Sides and respectful of their common values.

Implementation

The two Sides intend to put this Memorandum of Understanding into effect in accordance with the principles of subsidiarity. To achieve the objective of addressing poverty eradication and supporting sustainable development, they intend to promote the coordination, awareness, initiation and consolidation of partnerships and networks, as well as the sharing of experiences, information exchanges and regional consensus on pertinent issues to achieve enhanced synergies.

This Memorandum of Understanding is to be implemented according to the legal framework applicable to each Side. It does not constitute an agreement binding under international law nor is it intended to create binding legal rights or obligations for either Side.

This Memorandum of Understanding may be supplemented by administrative arrangements to determine the conditions for collaboration between the Side in relation to specific programmes, projects and activities in accordance with the interests, needs, standards, policies, practices and procedures of the Sides.

Points of contact

The relevant points of contact for each Side with respect to cooperation in the framework of this Memorandum of Understanding are:

The Brazilian Cooperation Agency at the Brazilian Ministry of External Relations.

The Directorate-General for International Cooperation and Development at the European Commission.

Done at _____, in two originals, one in English and one in Portuguese.

For the European Union

For the Federative Republic of Brazil
