

## Joint ACP-EU Civil Society Statement on ACP-EU relations beyond 2020

This statement was delivered by civil society representatives during a multi-stakeholder debate on ACP-EU relations after 2020, held on **7 December 2016** at the Permanent Representation of the Slovak Republic to the EU, in the framework of an open debate coordinated by CONCORD and the Slovak Presidency.

Please note that **this document is not a position paper**. It is the **starting point of a joint reflection among several ACP and EU civil society organisations (CSOs)**<sup>1</sup> on the future relations between ACP and EU countries for the post-2020 ('post-Cotonou') period. The content of this document is based on discussions between ACP and EU CSOs during a seminar organised by CONCORD and the IFP on 6 and 7 December 2016.<sup>2</sup>

### Introduction

Many discussions are taking place about the future of the EU-ACP partnership. Within civil society there are also different positions that have been developed on different issues and we have only now started a process of identifying issues of common concern. Therefore this is not yet a final position among civil society and our positions will likely evolve. However we did want to share with you some important points that emerged from our discussion over the past day and half.

### Principles

Recent years have seen the adoption of very important international frameworks that have the potential of putting us on a path of truly inclusive and sustainable development for the benefit of people, especially the poorest and most vulnerable, and planet. In particular, a lot of energies and efforts have been undertaken to agree on the transformative 'Agenda 2030' and its SDGs. This agenda is universal and fully integrates the three dimensions of sustainable development, including good governance. Therefore we believe that we need to start from national priorities and sustainable development strategies that are aligned with the implementation of Agenda 2030 and SDGs, as well as the Paris Agreement on Climate Change, in line with the key principle of **democratic ownership**.

Instead, the six priorities proposed by the EU as the focus of the future partnership do not seem to be coherent with the comprehensive and integrated approach of Agenda 2030, therefore we don't support the choice of focusing on only specific priorities.

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<sup>1</sup>Please refer to the list of registered participants at the end of this document.

<sup>2</sup>More information is available at <https://concordeurope.org/what-we-do/promoting-civil-society-space/cotonou-process/>.

Moreover, we regret that key principles of Agenda 2030 implementation are missing from the EC proposal, such as **leave no one behind**, presenting our current model of economic growth based on GDP as inadequate and the need for alternative measures of progress. Similarly the importance of promoting Policy Coherence for Sustainable development **PC(s)D is not strongly addressed despite being a Lisbon treaty provision.**

As an example, In the Cotonou agreement, the approach on migration had a narrow focus: mainly on return and readmission which is incoherent with the Universal Human Right Declaration: *“(1) Everyone has the right to freedom of movement and residence within the borders of each state. (2) Everyone has the right to leave any country, including his(her) own, and to return to his(her) country”.*

The review of Art 13 of the CPA in the future of EU-ACP relations should guarantee the full enjoyment of human rights of all migrants regardless of migration status. Human rights and dignity, and the development objectives need to be at the core of any agreement on migration, instead of migration management and border control objectives. The EU launched many reforms in 2015 and 2016 in the areas of migration and development (Valetta Summit, EU-Turkey deal; New Partnership Framework). The use of aid for negotiating more restrictive border control and readmission agreements is not acceptable. More than 4650 persons died in the Mediterranean sea in 2016 and more than 3750 in 2015, therefore creating more legal ways for migration is needed to reduce the human costs of migration.

The sustainable use of natural resources is crucial for EU-ACP relations. Therefore, the principles of **“Free Prior Informed consent”** and the **precautionary principles** need to be implemented and the rights of indigenous communities respected.

We need a people centered partnership which puts strong emphasis on **accountability** in the implementation of internationally agreed standards in relation to human rights, social, labour and environmental standards and allow for citizens to monitor the respect for these engagements.

At all levels of the partnership and cooperation, **political dialogue** should serve to identify issues of common concern and interest and to build a common understanding of these issues and subsequently identify common solutions. For this to happen we need **trust and respect between equal partners.**

This has not always been the case. For example in the framework of EPAs negotiations, there was no common understanding about how they could become instruments for development. Consequently EPAs did not produce the expected results in terms of structural transformation of ACP economies, regional integration and did not deliver benefits for the people that are most affected by structural poverty.

## **Common issues for the partnership**

Amongst all issues covered comprehensively in the SDGs, we would like to highlight the importance of the following that should be at the core of EU-ACP partnership:

Human development in its broad understanding, including respect for human rights and non-discrimination, gender equality, wellbeing, access to health and education, dignity, social justice and access to decent jobs in respect of core labor standards.

Equally important is to tackle climate change (Paris Agreement), environmental degradation and the unsustainable and unfair use of natural resources, for example through extractive industries and to promote and support sustainable food systems and agriculture and family farming.

Tax justice, tackling tax avoidance and illicit financial flows and Private Sector corporate accountability are also essential to enhance domestic resource mobilization and fighting inequalities.

With regards to the issue of trade and EPAs, as highlighted by the EU evaluation, it is clear that free trade agreements are everything but tools for regional integration and sustainable development. Therefore we believe that on trade and economic relations between the EU and the ACP regions and RECs, the future agreement

- should establish Sustainable development principles as guiding EU-ACP trade relations;
- should NOT contain binding commitments to conclude EPAs or to enlarge or expand the existing EPAs.
- should take into account that the family farmers and those working in the informal economy constitutes the largest part of the “private sector” and should be supported and enabled;
- should not create more rights and opportunities for the large investors whether EU or ACP to undermine the livelihoods and land rights of the majority of the people;
- should put in place checks and balances and accountability mechanisms that provide the means for civil society and grass root organisations to monitor the negotiation and implementation of trade agreements in respect of the partnership principles;

## **Regional issues and priorities for Africa, the Pacific, the Caribbean and Europe**

With full respect to the principle of democratic ownership and co-responsibility we strongly recommend that regional priorities are identified through proper political dialogue and consultative process with civil society and other stakeholders.

## **Structure of the future Agreement**

We support the unity of the Africa, Caribbean and Pacific group and look forward to the restructuring of its institutions to face today’s and future challenges in a changing world. We look forward to the Eminent Persons Group Report to see how the ACP group will see its role going forward and strengthening its role, because this is key to maintain a future just agreement between the EU and ACP.

In this context it could be worth exploring further the scenario proposed by the EC with an overarching structure as umbrella framework as well as the three regional pillars. Whatever final decision is taken by the two parties we think that the structure of the agreement should:

1. increase the performance of both the EU and ACP in the implementation of Agenda 2030 and SDGs
2. reinforce the unity and solidarity of the ACP and promote more South South cooperation
3. enable the ACP and EU to address issues of common concerns at the regional level.
4. strengthen the roles of the ACP and its three regions in the global arena
5. ensure that the regional characteristics are brought to fore, while maintaining a coherent approach with global issues
6. enable the ACP to engage in political dialogue with the EU and other international entities

## **Role of civil society in the future partnership**

Civil society organisations (CSOs) are legitimate actors of cooperation with an essential role to play in the ACP-EU relations and therefore the Cotonou Partnership Agreement 'acquis' for CS participation needs to be retained and reinforced. For that reason it should be included in the legally binding principles of the agreement.

The notion of NSA included in the Cotonou Partnership Agreement has led to confusion of roles and identities and failed to recognise and respect the distinctive nature and role of CSOs as an asset in any democratic society and the NSA terminology should be abandoned. The EC communication of 2012 is a useful reference regarding the definition and roles of civil society.

The full and meaningful engagement of CS in the design and implementation of the future ACP-EU partnership must be ensured, by:

- Putting in place an inclusive, structured participatory dialogue mechanism, engaging the diverse types of civil society organisations from both the ACP and the EU.
- This dialogue mechanism should be based on existing Civil Society structures and established at the different levels of governance – national, regional and interregional. It should cover political dialogue, trade and policy and programme design, implementation, monitoring and evaluation. This will promote greater transparency, accountability, effectiveness and ownership of the ACP-EU partnership.

New ways to engage a broader range of CS actors in the partnership through public dialogue should be explored. Particular attention should be paid to grassroots organisations, who can reach out to people and communities more easily, and less formally organised groups that defend the common interests and rights of vulnerable and discriminated communities.

The partnership should include a commitment to provide the adequate political and financial support to ACP and EU local, national and regional civil society organisations for developing their capacity as independent, inclusive and representative actors and allowing them to

enhance Intra-ACP CSO cooperation and dialogue as well as information sharing, dialogue and joint actions between ACP and EU CSOs.

## Next steps

We recognize there are issues that would need to be addressed further in the upcoming months, for instance the possible inclusion of North Africa or other countries beyond the ACP group. We look forward to hearing the position of the ACP group about this and the scenarios that they would put forward.

Between now and the time that the EU and ACP group consolidate their respective negotiation mandates, efforts should be made on both sides in raising awareness about the negotiation process, reaching out to concerned people and stakeholders. We therefore call for a very clear, transparent and open process that allows for engagement of civil society before the negotiating mandates are set, as well as beyond, during the official negotiation process and expect a clear commitment from both parties to this inclusive process.

## About this statement

This statement was jointly developed by ACP and EU civil society representatives during a seminar on 6-7 December co-organised by CONCORD and the IFP. The list of registered participants is available below. Please note that this list includes civil society representatives beyond the membership of CONCORD and the IFP, both in the EU and in the ACP Group of States.

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