



Hon. Mr Anastasios Giannitsis
EU Co-president of the Joint ACP-EC Council
Alternate Minister of Foreign Affairs
Vas. Sophias Avenue
10027 Athens
Greece

Hon. Mr. Serge Rialuth Vohor
EU Co-president of the Joint ACP-EC Council
Vice-Prime Minister
Port Vila
Vanuatu

Rue Stévin 115
1000 Brussels
20 May 2003

RE: ELIGIBILITY CRITERIA FOR NON-STATE ACTORS ACCESS TO THE EDF

Dear Honourable Ministers,

We are writing to you in your capacities as co-Presidents of the ACP-EC Joint Council of Ministers. The 28th ACP-EC Joint Council of Ministers has adopted a joint paper on Eligibility Criteria for Non-State Actor Access to Funding under the European Development Fund (EDF). *Eurostep* and *Saferworld*, as international organisations working closely with civil society partners in ACP countries, welcome any attempt to advance participation of non-state actors in ACP-EU cooperation, as a pre-requisite for achieving the objective of the Agreement, i.e. poverty eradication.

While we acknowledge that the criteria are a step in the right direction, we believe the text raises a number of questions. We have therefore compiled a few questions below on which we would very much appreciate a response. This action we believe is in line with the joint paper's aim of forming the "basis for future discussion and refinement" on eligibility criteria for non-state actor access to funding. It is also in accordance with the provisions in the Cotonou Agreement for ongoing dialogue between the representatives of civil society and the Joint Council of Ministers.

Questions on Eligibility Criteria for Non-State actor access to the EDF

- To our knowledge many EC delegations are not aware of the eligibility criteria to be jointly adopted by the ACP and EC. In some cases delegations are in the process of developing other sets of criteria for access to funding outside this

framework, while in others modalities for NSA access to EDF funds have been in discussion for more than a year due to heavy state discretion. How will the ACP and the EC ensure that all EC delegations and ACP officials adhere to the common criteria developed in the joint paper?

- The eligibility criteria paper calls for the establishment of national committees involving the ACP National Authorising Officer and relevant ACP authorities, a mandated non-state actor representative, and the EC. How will such committees be established, and the criteria be applied for the funding of non-state actors in:
 - Countries or regions, which are severely affected by conflict or contested states such as Somalia and South Sudan?
 - Countries where cooperation has been suspended such as Haiti?
- The joint paper states that non-state actors must operate under existing ACP State laws in order to receive funding. How will this criterion be put in practise in contested states countries such as Somalia or in countries where such laws are being contested by huge sections of the population such as Zimbabwe?
- The joint paper calls for access to the EDF to be limited to non-profit non-state actors. Will this includes non-state actors in ACP countries that rely on income from revolving and savings credit activities?
- Following the criterion for non-state actors to present proof of a clear organisation structure, how will organisations such as traditional associations, which in many cases operate without such structures, be accommodated?
- Could the ACP and EC devise a clear strategy or plan to involve as wide a range of non-state actors as possible in the national discussions that are supposed to follow the adoption of this paper?

We strongly believe that addressing the abovementioned questions - based on discussions with non-state actors in ACP countries - will adequately contribute to joint paper's ability to advance participation of non-state actors in ACP-EC co-operation. *Eurostep* and its partners look forward to receiving your responses to these questions and would be happy to discuss the details of these concerns further with ACP and EU Ministers.

Yours sincerely

Guggi Laryea
Policy Advisor, Eurostep

Bizuwork Ketete
Saferworld

CC

Mr Jacques Bel, Director of the Development Directorate General of the EU Council

Mr Jean Robert Goulongana, Secretary General of the ACP Secretariat

Mr. Surrendra Sharma Special Envoy to the EU & ACP for Vanuatu

HE Isikeli Maitoga, Ambassador of the Republic of Fiji to the EU and Chair of the ACP Committee of Ambassadors

HE Aristidis Agathocles, President of COREPER, Ambassador, Permanent Representative to the Permanent Representation of Greece to the EU.

Mr Poul Nielson, Member of the Commission of the European Communities