

## **EU-ACP relations: Will the EU deliver on its promises?**

### ***Information on the Programming of EC Aid for African, Caribbean and Pacific (ACP) countries<sup>1</sup>***

**March 2006**

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<sup>1</sup> Briefing by the **Cotonou Working Group (Aid)**, March 2006. For further details, please contact [CotonouAid-owner@yahoogleroups.com](mailto:CotonouAid-owner@yahoogleroups.com)

## **1. Introduction: Purpose of this paper**

This briefing paper has been prepared by the Concord Cotonou Working Group (Aid) to facilitate the lobbying and participation of civil society organisations in the European Union and African, Caribbean and Pacific countries in the forthcoming processes of EC Aid Programming.

## **2. What are the commitments made by the EU so far ?**

### **▪ Legal and political commitments**

In 2000 the European Union (Member States and Commission) and 78 countries from Africa, the Caribbean and the Pacific signed the Cotonou Agreement. Under this legal binding agreement the different signatories have committed themselves to "*promote and expedite the economic, cultural and social development of the ACP states*". The agreement stipulates "*that ACP states shall determine the development principles, strategies and models of their economies and societies in all sovereignty*" and "*non state actors shall be informed and involved on co-operation strategies, be provided with financial resources and be involved in the implementation of the cooperation.*"

In 2005, the European Commission and its Commissioner for development Cooperation, Louis Michel, initiated a process to review the EU's development policy. The resulting political declaration – the so called "*European Consensus on development*" was agreed by the European Commission and the EU Member states, and endorsed by the European Parliament. It reintroduces some key objectives of the Cotonou Agreement (fight against poverty in the context of sustainable development, involvement of civil society actors) and stresses the need for improved co-ordination and harmonization between the different European donors. It also identifies security, migration and the role of governance as key issues as well as the terms for opening up local markets for European exports and reforming the commercial policies of developing countries (through the economic partnership agreements). The European Consensus also set a target of 50% of aid being provided through general budget support. These legal and political commitments will be translated into the EU's programming process for its aid from 2006 onwards.

### **▪ Implementing the commitments: the programming process for 2008 - 2013**

The programming exercise is *the process of consultation between the EU and individual ACP Governments through which the utilisation of the money allocated to individual ACP countries (and ACP regions) for the coming years is planned (2008 – 2013)*. The Programming of Aid for ACP countries and regions is currently being reviewed by the European Commission in a process which will lead to the adoption of a new generation of Country and Region Strategy Papers for ACP countries in April-June 2007.

This new generation of Strategy Papers will cover the period 2008-2013 and set out the main priorities for funding towards the ACP countries and regions with a total of 22.8 billion Euros being provided in the 10<sup>th</sup> EDF.

### **▪ Key documents and processes under revision**

The European Commission is currently defining a set of documents to guide the coming programming exercise. These will provide the principal framework for establishing the scope and content of the EC's co-operation with ACP countries and regions for 2008 to 2013. These documents include:

- The Update Common Framework for Country Strategy Papers
- The allocation criteria;
- The internal guidelines for drafting the CSP's

**It is important that civil society actors obtain these key documents.** European Commission delegations should be asked to provide them.

For the regional programming process the European Commission has set up bodies to discuss aid allocation in relation to the regional trade negotiations and the drafting of the regional country strategy papers (Regional Preparatory Task Forces). These RPTF will have an important role in the drafting of the Regional Strategy Papers (RSP) which will lead to an increased importance of trade related aid in the RSP. At the national level the Head of Delegation (EC) and the National Authorising Officer (NAO – normally situated within the Ministry of Finance or Planning) should be contacted. EC Delegations usually have NGO focal points in charged of linking with civil society.

Given the significance of these processes it is important:

- That **civil society actors make full use of the space for involvement** provided by the Cotonou Agreement especially at this crucial time of the negotiation of funding allocations and development strategies and therefore get involved in discussing and setting the priorities of the aid (going to their countries), and request that enough support is facilitated for them to do so adequately
- That both the **European Commission** (through their national delegations and from Brussels) and **the National and Regional Authorising Officers (N/RAO)** in the ACP countries are urged to provide the necessary space for this engagement, according to the obligations in the Cotonou Agreement.

### **3. Process and calendar**

The programming processes for the 10<sup>th</sup> European Development Fund –at both national and regional levels - start in early 2006.

A set of regional seminars begins this process wherein – it seems – political messages are given to the European delegations and ACP government representatives (mostly NAOs) in preparation for the drafting of the (Regional and Country) Strategy Papers. In theory the drafting process is initiated in the respective countries where the National Authorizing Officer/Regional Authorizing Officer, along with the EC Delegation and in consultation with CSO, draws up a first draft of the CSP/RSP. This includes an indication of the main priorities for EC action in the particular country/region. This draft is then presented to the Commission in Brussels (notably the country/regional desk officers) who revises and produces a second draft which is in turn circulated to N/RAOs again for another round of consultations. Once redrafted, the CSPs and RSPs are sent back to the Commission for final adoption.

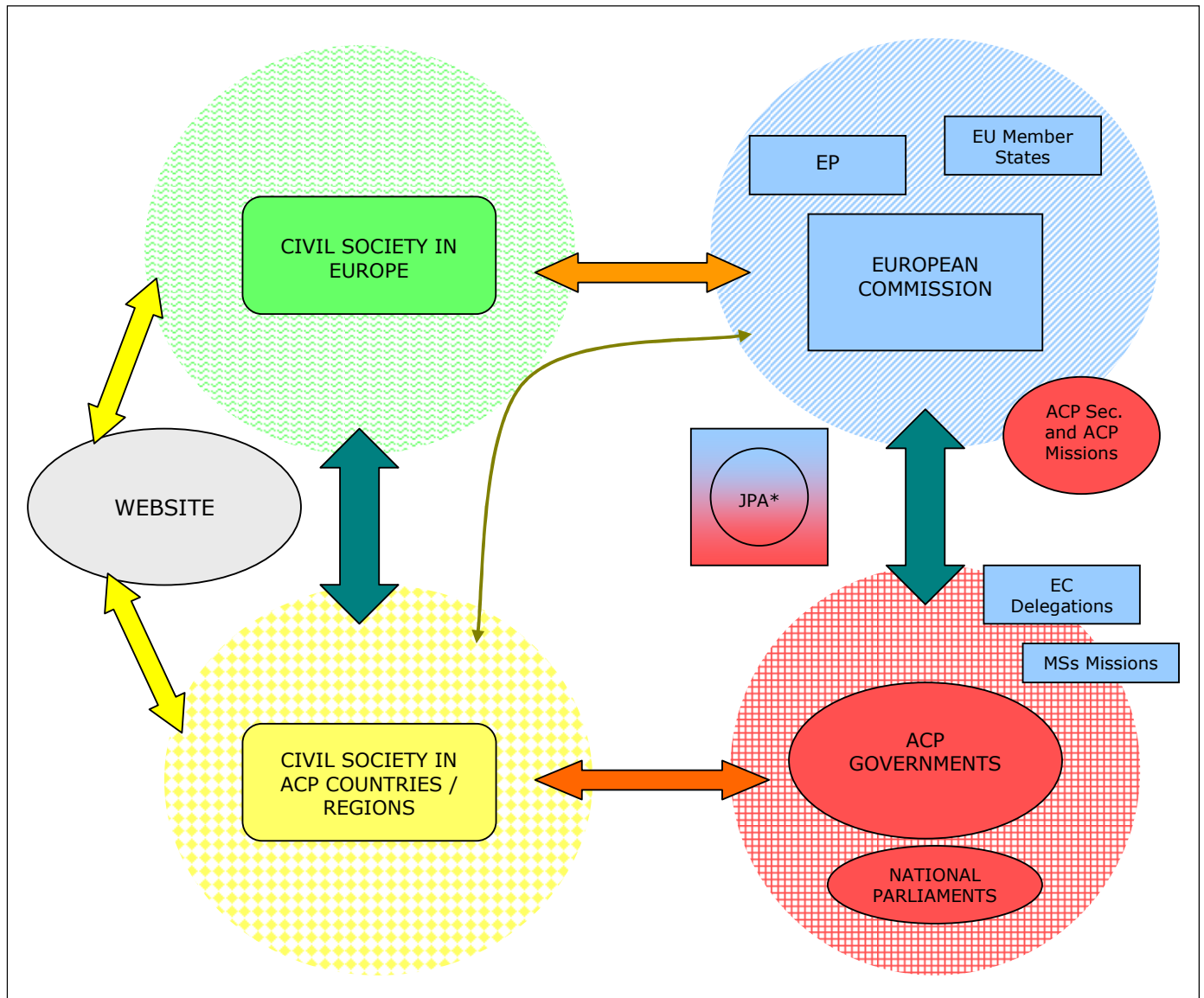
Alongside the CSPs/RSPs, this programming exercise introduces the obligation to develop Country and Regional Environmental Profiles. The material of the CEPs/REPs should be used to mainstream environmental issues into the CSPs/RSPs.

The calendar for the programming process is as follows:

Calendar for the Programming of Aid for ACP countries			
Feb. 2006 – July 2006	Start Programming Exercise; Consultation with civil society should take place during this period. The consultation exercises, which are yet to be defined, will be the responsibility of the NAOs and RAOs in the ACP countries and regions with the Commission delegations playing a facilitator role.		
Feb. 2006 – March 2006	Regional Seminars: A total of six Regional Seminars will be held between January and March 2006 in preparation for the programming exercise. Louis Michel, the Commissioner for Development, will attend every seminar to discuss programming approaches and priorities for each ACP region. The participants in the seminars will in principle only include Commission representatives from Brussels and from the delegations, NAOs and RAOs, and representatives from the Member States with an active presence in the countries. Most notably, the social sector Commission Staff whose work focuses on the MDGs will not be invited to participate in the meetings, which suggests that the MDGs will not be central to the discussions.		
	Calendar for the Regional Seminars:		
	Date	Venue	ACP Region
	30 January – 3 February	Brazzaville (Congo)	Central Africa Region
	22 – 26 February	Gaborone (Botswana)	Southern Africa Development Community (SADC)
	6 – 10 March	Ouagadougou (Burkina Faso)	Western Africa
	20 – 24 March	Brussels (Belgium)	Eastern Africa and Indian Ocean
	27 – 30 March	Suva (Fiji)	Pacific
	April (date TBC)	Santo Domingo (Dominican Republic)	The Caribbean
	From July 2006 onwards	Submission of draft Country Strategy Papers to EC Headquarters	
November 2006	Country Team Meetings in Brussels. These will be organised by the Desk Officers in Brussels.		
December 2006	iQSG (interservice Quality Support Group) screening and validation by Commissioner Michel		
April 2007	Start of the Decision Process in the European Development Fund Committee		
March 2007 – May 2007	Commission decisions		
From April 2007 – June 2007	Signature CSPs		

4. **Mapping the actors involved in the Programming of EC Aid for ACP countries and defining their perspective relationships**

The diagram below seeks to provide a visual image of where the different actors directly or indirectly involved in the Programming of EC Aid to ACP countries sit in this process and the way in which they interrelate with each other.



\* Joint Parliamentary Assembly

## 5. What we think CSOs can do?

- *In general*

Civil society actors within the EU and ACP countries can actively work together to:

- ensure that the process of programming EC aid for ACP countries is as inclusive, transparent, open and participatory as possible and that civil society actors both in ACP countries and in Europe are invited to participate meaningfully, resulting in their views being taken into account.
- ensure that the ownership of civil society actors in the ACP countries in this process is guaranteed by for instance building a partnership between civil society, national governments and the Commission in those countries.
- consider precisely how they will organise themselves so as to ensure that their voices are heard effectively. To do this civil society actors will need to formulate clear strategies for getting their message across to the National Authorising Officer, their parliaments and senior political figures.
- ensure that the allocation of financial resources resulting from the programming exercise prioritises the MDG sectors, and reflects the development needs of the recipient countries.

- *Specifically:*

Civil society actors in ACP countries can meet with the National Authorising Officer and the European Delegation to discuss the results from European intervention in the past and plans for the future (request draft proposals). Local actors can influence the programming of EC aid process by directly or indirectly engaging in the consultation exercises which will take place as part of the programming. This should help them in ensuring that their views are reflected in the discussions about programming taking place at the local and regional level in ACP countries. Civil society involvement should be seen as a process of ongoing engagement, and not merely a one-sided consultation meeting. Engagement should entail processes which are:

- *inclusive* in which the criteria for actors to be invited provides enough space for all the actors who wish to participate to do so regardless of their capacity and/or experience in this type of exercises.
- *transparent* whereby documents (draft CSP, NIP, CEP evaluations) are made available (including financial tables) in a timely and accessible way so that they can be properly considered by civil society actors and their constituencies in advance of dialogue with the Commission and government. Feedback on discussions and negotiations should be provided.
- *democratic* whereby the discussions on the priorities for each country/region are debated in the public arena or in parliaments. Involvement of national administrations with specific knowledge (technical ministries, local governments, etc) should be encouraged.
- ACP civil society can *link up* with European Union civil society actors. Such links should facilitate and reinforce – not replace – local dynamics, facilitate the involvement of different organisations at local levels and can provide channels for sending key messages back to European capitals (also on specific programmes).
- European NGOs can support actors in the south - and strengthen advocacy in the European Union by:
  - Pressuring EU Member States' representations in a particular country to work more closely with the European Commission, the National Authorising Officers and Technical Ministries, and urging EC delegations to increase the political space for

civil society actor involvement and make available sufficient financial assistance to facilitate this.

- Forwarding to their partners in ACP countries background information on the programming of EC aid and in particular on the upcoming drafting process of Country and Region Strategy Papers for ACP countries that can be gathered at European level,.
- Collecting feedback emerging from their partners in ACP countries and disseminating it to other European civil society actors for compilation, analysis and ultimately delivery to the appropriate units/officials in the European Commission as well as to national governments and parliaments in EDU Member States.

## **6. Issues that could be discussed at ACP level:**

In discussions with EC officials, EU member states and ACP governments ACP and European Union civil society actors might find it useful to adapt the non-inclusive list of questions set out below, focusing on key themes and issues that are in line with individual organisational priorities. :

- Civil Society Participation:
  - How will the future Country Strategy Paper ensure real ownership of the development strategy by all the sections of the society?
  - Will civil society be involved in programming, implementation and evaluation of EC aid in our country? What are the concrete plans for this?
  - What level of resources will be made available to ensure civil society participation?
  - Will the specific participation of gender equality advocates be ensured in these processes? How?
  - Will the specific participation of indigenous peoples be ensured? How?
  - Will the specific participation of marginalised groups be ensured? How?
  - Etc...
- Millennium Development Goals:
  - Will the Country Strategy Paper strongly promote gender equality? How?
  - What about Sexual and Reproductive Health Rights?
  - Will the Country Strategy Paper set the basis for a development model that is environmentally sustainable? How?
  - Will the Country Strategy Paper ensure that the European Union makes a significant contribution to strengthening primary education in our country? How?
  - Will the Country Strategy Paper ensure that the European Union makes a significant contribution to strengthening primary health in our country? How?
  - Will the promotion of human rights form an integral part of the CSP? How?
  - What strategies will the CSP implement to ensure that all the cross cutting issues identified in the European Consensus on Development (children's rights, gender, rights of indigenous people, HIV/AIDS, human rights, democracy, good governance and environmental sustainability) are appropriately mainstreamed in the EC's assistance programme?
  - Will the EU Country Strategy Paper provide effective support for the fight against HIV/Aids and other communicable diseases in our country? How?
- Budget support:
  - Will a substantial part of this assistance be channelled through general budget support?
  - If yes what mechanisms will be put in place to ensure that this aid contributes to reaching the Millennium Development Goals?
  - Will gender responsive budgeting initiatives be used as a strategy to ensure adequate gender mainstreaming?

- Will civil society participate in the discussions regarding the distribution of this assistance? How?
- What form of monitoring process will be put in place to see if the allocated money will be disbursed and the stated objectives achieved?
- Will Parliament be involved in this process?
- Donor Driven Agenda:
  - How can we ensure that the fight against terrorism, does not jeopardise our efforts to reach the Millennium Development Goals?
  - Which mechanism is put in place to make sure that projects on the reintegration of refugees and migrants are in line with international human rights standards and that these programmes do not draw on scarce development resources?
  - In relation to the governance debate what indicators are used to measure progress? Are these only (quantitative) indicators on corruption, elections? Or are social and economic rights taken into account? The distribution of wealth between provinces? The way donors tend to give preference to more urban development, etc ?
  - Will our Poverty Reduction Strategy Papers be reflected in this CSP? How?
- Trade negotiations (EPA)
  - What studies are available to measure the impact of the economic partnership agreements in our country? Are sustainability impact assessments (SIAs) being developed? Which sectors will be affected? What will be done with the problem of supply side constraints?
  - Is money set aside to address possible negative effects on our economies?
  - What issues and proposals are discussed in the Regional Preparatory Task Forces?
- Implementation:
  - How are the objectives and the policy proposals concretely translated in project proposals and financial tables? Can we have access to these project proposals and financial tables?
  - What amount of money is committed until now under the 9<sup>th</sup> EDF? What will happen with the programmes, once the agreement on the 10<sup>th</sup> EDF enters into force? What will happen with the leftovers (RAL) from the 9<sup>th</sup> EDF?
  - What are the actual disbursement in our country ? For which project, programs and sectors? Is detailed financial information available?
  - Which organisations and governmental bodies are involved in the implementation?

## **7. How we could share the work and improve cooperation: a suggestion and invitation to communicate more often**

A useful exchange of information in the ACPs, in Europe and between the ACPs and Europe is of primary importance in the context of the work on the future EDF programming. A comprehensive but user-friendly and transparent way of exchanging information could be established so that all the actors who wish to be involved in the process can provide input and easily benefit from the resulting flow of information. This could be done effectively by for instance making use of a website where all the information can be posted.

Civil society actors who would like to receive more information or give feedback on the programming of the 10<sup>th</sup> EDF can subscribe to the Cotonou Working Group electronic mailing list by contacting [CotonouAid-subscribe@yahoogroups.com](mailto:CotonouAid-subscribe@yahoogroups.com).

## **8. Glossary:**

**Cotonou Agreements** –The Cotonou Agreement is the treaty which sets out the relationship between the European Union and the African, Caribbean and Pacific governments (the "ACP countries") of the signatories on issues of foreign aid, trade, investment, human rights and governance. Signed in June 2000 in Cotonou



(Benin), the agreement came into force in 2002 and succeeded the Lomé Convention, which did not address human rights and governance issues. The Agreement has a total of 77 signatories.

Source: [http://europa.eu.int/comm/development/body/cotonou/index\\_en.htm](http://europa.eu.int/comm/development/body/cotonou/index_en.htm)

Full text of the agreement: [http://europa.eu.int/comm/development/body/cotonou/pdf/agr01\\_en.pdf#zoom=100](http://europa.eu.int/comm/development/body/cotonou/pdf/agr01_en.pdf#zoom=100)

**Country and Region Strategy Papers (CSPs/RSPs)** –Country and Regional Strategy Papers are the main strategic tools for the programming of EU assistance. They set up the political guidelines on the implementation of co-operation policies. They are instruments for guiding, managing and reviewing EC assistance programmes. The purpose of a Country or a Regional Strategy Paper is to provide a “strategic framework” for EU assistance programmes.

Source:

[http://snv2.eepa-portal.com/wcm/index.php?option=com\\_content&task=category&sectionid=7&id=182&Itemid=0](http://snv2.eepa-portal.com/wcm/index.php?option=com_content&task=category&sectionid=7&id=182&Itemid=0)

Full text of the Common Framework for Country Strategy Papers (May 2001): [http://europa.eu.int/comm/external\\_relations/reform/document/iqsg\\_04\\_01.pdf](http://europa.eu.int/comm/external_relations/reform/document/iqsg_04_01.pdf)

**Country and Regional Environmental Profiles (CEPs/REPs)** – Country and Regional Environmental Profiles are the main tools to mainstream environmental issues in CSPs/RSPs. They analyse the environmental conditions of a country or region and outlines their relation with social and economic development, and outline the actions needed to ensure a sustainable development of the area. CEPs/REPs should be annexed to the CSPs/RSPs.

Source: [http://www.environment-integration.org/EN/D122\\_CEP.htm](http://www.environment-integration.org/EN/D122_CEP.htm)

**Economic Partnership Agreements (EPAs)** –The Economic Partnership Agreements are agreements on trade negotiated between the European Union and the ACP group of countries. The negotiations leading to the Economic Partnership Agreements (EPA) were launched in Brussels on 27 September 2002 and will be conducted in two phases:

- The first phase is conducted at "All-ACP"-EU level and takes on board cross-cutting themes of interest to all parties concerned, mainly: legal matters, the development "dimension" of the EPAs, Agriculture and Fisheries agreements, services, market access and trade-related matters.
- The Second phase is conducted at ACP national and regional level with spotlight on specific commitments.

Source: [http://www.acpsec.org/en/epa/note\\_on\\_epa.htm](http://www.acpsec.org/en/epa/note_on_epa.htm)

**European Consensus on Development** –The European Consensus on Development adopted on 20<sup>th</sup> December by the three European institutions, defines the new development policy of the European Union. It builds on the strong consensus that now exists on the MDGs and puts poverty eradication at the centre. It highlights the importance of the partnership with developing countries and the promotion of good governance, human rights and democracy, as a means of harnessing globalisation. This “European consensus” sets development as a key element of the EU’s external action along with the common foreign and security policy and trade policy. It also establishes links between development policy and other related policy areas such as migration, environment and employment.

Source: [http://europa.eu.int/comm/development/body/development\\_policy\\_statement/index\\_en.htm](http://europa.eu.int/comm/development/body/development_policy_statement/index_en.htm)

Full text of the Statement: [http://europa.eu.int/comm/development/body/development\\_policy\\_statement/docs/eu\\_dps\\_en.pdf#zoom=100](http://europa.eu.int/comm/development/body/development_policy_statement/docs/eu_dps_en.pdf#zoom=100)

**European Development Fund** –The European Development Fund (EDF) is the main instrument for Community aid for development cooperation in the ACP countries and the Overseas Countries and Territories (OCT). The EDF does not come under the general Community budget but is funded by the Member States, covered by its own financial rules and managed by a specific committee. Each EDF is concluded for a period of around five years; the 10<sup>th</sup> EDF is currently being negotiated for the years 2008-2013.

Source: <http://europa.eu.int/scadplus/leg/en/lvb/r12102.htm>

**National Indicative Programmes (NIPs)** –National Indicative programmes are a management tool to identify and define actions for attaining the objectives set down in the CSPs and RSPs. Each CSP is therefore accompanied by an NIP. The NIP may be an integral part of the overall CSP and acts as the executive plan of action for the strategy laid out in that document. The NIP covers a period of several years (from 3 to 5 years depending on the applicable regulation/agreement). Under the Cotonou Agreement, there exists a legal obligation for ACP countries to give the NIP an operational content. This operational content falls under the responsibility of the EuropeAid Co-operation Office.

Source:

[http://snv2.eepa-portal.com/wcm/index.php?option=com\\_content&task=category&sectionid=7&id=159&Itemid=42](http://snv2.eepa-portal.com/wcm/index.php?option=com_content&task=category&sectionid=7&id=159&Itemid=42)

**National and Regional Authorising Officers (N/RAOs)** –National and Regional Authorising Officers are senior government officials appointed to represent a particular ACP country or region in its dialogue with the European Commission on the Programming of EC Aid. Aside from being responsible for the drafting of CSPs and RSPs jointly with the European Commission, the NAOs and RAOs are also responsible for, inter alia:

- The preparation, submission and appraisal of projects and programmes in close cooperation with the Head of Delegation;
- Also in close co-operation with the Head of Delegation, issue invitations for local open tender, receive tenders, both local and international, preside over the examination of tenders, establish the result of this examination, sign contracts and riders thereto and approve expenditure;
- Submit, before issuing local open invitations to tender, the invitation to tender dossier to the Head of Delegation who shall give his agreement within 30 days;
- Clear and authorise expenditure within the limits of the funds assigned to him/her.

Source: [http://snv2.eepa-portal.com/wcm/index.php?option=com\\_content&task=view&id=24&Itemid=98](http://snv2.eepa-portal.com/wcm/index.php?option=com_content&task=view&id=24&Itemid=98)