


| Basic information  |                     |
|--|---------------------|
| <b>2009/2165(INI)</b><br>INI - Own-initiative procedure  | Procedure completed |
| Second revision of the Partnership Agreement ACP-EC (Cotonou Agreement)<br><br><b>Subject</b><br>6.30 Development cooperation<br>6.40.06 Relations with ACP countries, conventions and generalities<br><br><b>Geographical area</b><br>ACP countries |                     |

| Key players                   |                                 |  |  |                  |
|-------------------------------|---------------------------------|--|--|------------------|
| European Parliament           | <b>Committee responsible</b>    |  | <b>Rapporteur</b>  | <b>Appointed</b> |
|                               | <b>DEVE</b> Development         |  | JOLY Eva (Verts/ALE)   | 06/10/2009       |
|                               |                                 |  | Shadow rapporteur<br>PREDA Cristian Dan (PPE)<br>MICHEL Louis (ALDE) |                  |
|                               | <b>Committee for opinion</b>    |  | <b>Rapporteur for opinion</b>  | <b>Appointed</b> |
|                               | <b>INTA</b> International Trade |  | MOREIRA Vital (S&D)  | 29/09/2009       |
| Council of the European Union | <b>Council configuration</b>    |  | <b>Meetings</b>  | <b>Date</b>      |
|                               | General Affairs                 |  | 2985   | 2009-12-07       |

| Key events |  |   |         |
|------------|--|---|---------|
| Date       | Event                                      | Reference   | Summary |
| 22/10/2009 | Committee referral announced in Parliament |   |         |
| 14/12/2009 | Vote in committee                          |   | Summary |
| 17/12/2009 | Committee report tabled for plenary        | A7-0086/2009  |         |
| 19/01/2010 | Debate in Parliament                       | CRE link  |         |
| 20/01/2010 | Decision by Parliament                     | T7-0004/2010  | Summary |
| 20/01/2010 | Results of vote in Parliament              |  |         |
| 20/01/2010 | End of procedure in Parliament             |   |         |

| Technical information      |                                |
|----------------------------|--------------------------------|
| Procedure reference        | 2009/2165(INI)                 |
| Procedure type             | INI - Own-initiative procedure |
| Legal basis                | Rules of Procedure EP 117      |
| Other legal basis          | Rules of Procedure EP 165      |
| Stage reached in procedure | Procedure completed            |
| Committee dossier          | DEVE/7/00959                   |

| Documentation gateway                               |                      |                              |            |                         |
|---|----------------------|------------------------------|------------|-------------------------|
| European Parliament                                 |                      |                              |            |                         |
| Document type                                       | Committee            | Reference                    | Date       | Summary                 |
| Committee draft report                              |                      | <a href="#">PE430.376</a>    | 20/10/2009 |                         |
| Amendments tabled in committee                      |                      | <a href="#">PE430.673</a>    | 16/11/2009 |                         |
| Amendments tabled in committee                      |                      | <a href="#">PE430.765</a>    | 20/11/2009 |                         |
| Committee opinion                                   | <a href="#">INTA</a> | <a href="#">PE430.404</a>    | 07/12/2009 |                         |
| Committee report tabled for plenary, single reading |                      | <a href="#">A7-0086/2009</a> | 17/12/2009 |                         |
| Text adopted by Parliament, single reading          |                      | <a href="#">T7-0004/2010</a> | 20/01/2010 | <a href="#">Summary</a> |

## Second revision of the Partnership Agreement ACP-EC (Cotonou Agreement)

2009/2165(INI) - 20/01/2010 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on the second revision of the ACP-EC Partnership Agreement (the "Cotonou Agreement"). It considers that the second review of the Cotonou Agreement should be an occasion to adjust it in the light of recent and current crises including climate change, soaring food and oil prices, financial crisis and abject poverty in Africa. Parliament believes that the need to address the root causes of these crises is not an option, but a necessity;

Members deplore the fact that the European Parliament, the ACP-EU Joint Parliamentary Assembly (JPA) and the national parliaments of the ACP States as well as civil society organisations and non-state actors were - once again - not involved in the decision-making process that led to the identification of areas of the Cotonou Agreement for revision and to the establishment of the negotiating mandates adopted by the Council of the EU and the ACP Council of Ministers. This omission affects the transparency and credibility of the revision process and further alienates the EU and ACP populations from their governments and institutions.

The resolution stresses the need to consolidate the **political dimension of the Cotonou Agreement**, particularly in respect of the commitment of the parties to implement the obligations stemming from the Rome Statute of the International Criminal Court. It also stresses the importance of **policy coherence for development**, which must be explicitly addressed in the revised Agreement.

Members feel that the conclusion and implementation of the regional **Economic Partnership Agreements (EPAs)** has undermined the cohesion of the ACP Group and the ongoing regional integration process. There is a need to maintain the unity and coherence of the ACP group and the stability of the ACP-EU institutions. Parliament considers it necessary, firstly in view of the entry into force of the EPAs for certain ACP countries only and secondly because various provisions of Article 37 of the Cotonou Agreement are out of date, to revise the part of the ACP-EU agreement concerning trade agreements in order to incorporate provisions concerning all the existing ACP-EU trade arrangements (Generalised System of Preferences (GSP), GSP plus, interim EPAs, EPAs with the Caribbean Forum of ACP States (Cariforum) countries) and to uphold a number of principles and commitments which should not be lost from the Agreement, namely:

- consistency between, on the one hand, all the trade frameworks governing relations between the ACP and EU countries and, on the other hand, the development objectives which are at the heart of ACP-EU cooperation;
- the guarantee that all the ACP countries will have the benefit of a trade framework which is at least equivalent to their previous situation, particularly for countries which are not Least Developed Countries (LDCs) and are not signatories to an EPA;

- the guarantee that, for all the ACP countries, the new trade framework will take account of sensitive sectors, particularly agricultural food production, when determining transition periods and the final product coverage, and that it will make it possible to improve the market access which ACP countries enjoy, particularly by means of a review of the origin rules.

Members call on the **European Investment Bank (EIB)** to review its policy on offshore financial centres and to make changes in the EIB's organisational and governance structure is necessary. They call on the Commission and ACP governments to include the fight against **abuses of tax havens, tax evasion and illicit capital flight** as a matter of priority in the Cotonou Agreement. Parliament wants an **international binding mechanism**, which forces all transnational corporations to disclose automatically the profits made and the taxes paid in every country where they operate. It calls on the negotiators to address the tax-related aspect of development and to put in place viable tax systems in the ACP countries in order to ensure sustainable source of development financing with the long-term objective of replacing foreign aid dependency.

Parliament deplores the fact that despite the majority of ACP countries' population living in rural areas, agriculture remains a neglected sector in ACP-EU cooperation. It calls on the Commission to address **food security concerns** coherently, and to foster regional agricultural market development in developing countries. Parliament also expresses its deep concern about the current farmland acquisition (particularly in Africa) by government-backed foreign investors, which, if not handled properly, threatens to undermine local food security and lead to serious consequences in the ACP states.

On **migration**, Parliament calls on the Commission and the ACP countries to include in Article 13 of the ACP-EU agreement on migration the principle of circular migration and its facilitation by granting circular visas. The article in question emphasises respect for human rights and equitable treatment of nationals of ACP countries, but Parliament stresses that the scope of these principles is **seriously compromised by bilateral readmission agreements** with transit countries in a context of externalisation by Europe of the management of migration, which do not guarantee respect for the rights of migrants and which may result in 'cascade' readmissions which jeopardise their safety and their lives.

On the JPA, Parliament underlines the importance of the **parliamentary dimension of the Cotonou Agreement**, embodied in the ACP-EU JPA. It expresses its firm commitment to the JPA playing its full role in ensuring parliamentary participation in actions under the Cotonou Agreement. Members emphasise their implacable opposition to any attempt to reduce the role of the JPA in particular by proposals that impact on its working methods and frequency of its meetings, which should be left to the JPA to determine for itself. All ACP countries should be genuinely represented by parliamentarians in the JPA in future and not by representatives of governments, as sometimes happens. The revision of the Cotonou Agreement should also give national parliaments formal recognition as participants in EDF-financed cooperation. Lastly, provision should be made in the Cotonou Agreement to allow the JPA and ACP parliaments to scrutinise the country and regional strategy papers.