

EUROPEAN COMMISSION
Directorate General for
International Cooperation and Development



EUROPEAN EXTERNAL ACTION SERVICE



**‘TOWARDS A NEW PARTNERSHIP
BETWEEN THE EUROPEAN UNION AND THE AFRICAN,
CARIBBEAN AND PACIFIC COUNTRIES AFTER 2020’**

– Summary report of the public consultation

March 2016

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Disclaimer

This report summarises the main views and suggestions expressed by the respondents to the various questions contained in the joint consultation paper 'Towards a new partnership between the European Union and the African, Caribbean and Pacific countries after 2020' of 6 October 2015 (JOIN(2015) 33 final). They can in no way be taken to reflect the views of the European Commission or the European External Action Service.

Acronyms

ACP	African, Caribbean and Pacific States
CPA	Cotonou Partnership Agreement
CDE	Centre for the Development of Enterprise
COP21	Conference of the Parties – 21 st Conference
CSO	Civil Society Organisation
DCI	Development Cooperation Instrument
DRM	Domestic Resource Mobilisation
EDF	European Development Fund
EEAS	European External Action Service
EIB	European Investment Bank
EIF	Enhanced Integrated Framework
EPA	Economic Partnership Agreement
EU	European Union
EUD	EU Delegation
FDI	Foreign Direct Investment
ICT	Information and Communication Technologies
IF	Investment Facility OR Integrated Framework
JCP	Joint Consultation Paper
LDC	Least Developed Country
MDG	Millennium Development Goal
NAO	National Authorising Officer
NSA	Non-State Actor
ODA	Official Development Assistance
PCD	Policy Coherence for Development
PFM	Public Financial Management
SDG	Sustainable Development Goal
SIDS	Small Island Developing States
SYSMIN	Instrument for cooperation in the Mining Sector
TAIEX	Technical Assistance and Information Exchange

Introduction

In October 2015, the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy launched a public consultation on the basis of a Joint Consultation Paper (JCP) entitled "Towards a new partnership between the European Union and the African, Caribbean and Pacific countries after 2020"¹.

The purpose was to initiate the discussion on the key questions pertaining to the partnership and relations with the group of African, Caribbean and Pacific (ACP) countries after 2020. The outcomes of the public consultation are reviewed in this report and will contribute to the evaluation of the current Cotonou Partnership Agreement (CPA) and to the setting out of policy proposals for a future relationship.

The consultation ran for twelve weeks from 6 October to 31 December 2015. The questionnaire was composed of 43 questions dealing with both backward-looking and forward-looking aspects, and covering multiple issues regarding the content, scope and tools of the EU-ACP partnership.

Respondents were invited to answer the questions using an online form. Not all questions were answered by all respondents and the provided replies generally offered opinions rather than evidence-based analysis.

A total of 103 contributions were received from a wide range of stakeholders from EU and ACP countries. Most submissions were received from public authorities, followed by civil society organisations, associations and think tanks and a limited number from the private sector.

Although a wide range of stakeholders have contributed to the consultation, no robust trend could be drawn from the analysis regarding commonalities and/or divergences based on categories of stakeholder. Identified key messages are generally wide-ranging and common to several groups of stakeholders, regardless of their category or geographical origin. A major problem highlighted is the difficulty to attribute progress or lack thereof specifically to the CPA framework or to EU policy as a whole.

Main findings and key messages are summarised below.

Main outcomes on key questions

On the past performance of the CPA, respondents see generally a positive contribution to human and social development, including poverty reduction, but opinions seem divided on the contribution towards sustainable and inclusive economic development. Work on peace and security as well as trade was positively evaluated, although the latter to a lesser extent than expected. In some other areas, respondents have mostly a critical opinion of the effectiveness of the CPA, especially with regard to private sector development and Foreign Direct

¹ JOIN(2015) 33 final.

Investment (FDI), migration, the democratic governance related mechanisms and the generation of EU-ACP alliances on global challenges.

Looking forward, respondents largely agree on EU interests to be pursued in the future in our relations with ACP countries. The main priority put forward is the implementation of the Sustainable Development Goals (SDGs). A number of key concerns are identified under global challenges, notably climate change, poverty reduction, inequalities, migration and peace and security. Private sector development, improved business environment and business promotion are seen as priorities in the framework of sustainable and inclusive economic growth.

Looking at key aspects on how a future relationship should be organized, the main trends are as follows:

- The majority of replies underline the fact that the legally binding nature of the agreement has been instrumental to its implementation.
- A consensus appears about the need to take into account the evolved regional partnerships at continental (African Union) and regional (Regional Economic Communities) level. However, there are diverging views about their respective roles, about how to ensure synergies and proper coordination, and how to organise the relationship with the ACP Group. Nevertheless, on the latter, many respondents consider that the framework for engagement with the Group should be more focused and lighter.
- The general view is that the CPA can be adapted to deliver on global public goods e.g. COP21.
- There is a very large majority in favour of a stronger role of civil society actors and private sector.

Summary of contributions following the thematic structure of the JCP

I. Shared principles and common interests (the 'what')

i) Common global interests in a multipolar world (Q1-2)

According to a majority of respondents, the CPA has been less effective in tackling global challenges than expected. There are two main reasons cited: first, the Partnership was not designed to deal with global challenges as such, limiting its capacity to deal with *collective* problems that interest all ACP countries (e.g. climate change, migration); second, ACP countries, at times, have chosen to cooperate with other groupings, for instance the G77, which may have been perceived as better articulating their interests.

Nevertheless, it is the general view that the CPA could be effectively adapted to deliver on key global public goods, as it has already proven useful to place key issues on the global development agenda. For instance, the coalition of 'High Ambition' at COP21 in Paris, which

was built as a result of the EU's special partnership with the ACP Group of States, is an example that could be replicated in the future.

Respondents have identified a number of global challenges where the future partnership could add value. More specifically, emphasis was put on the 'SDG package', but also on climate change, poverty reduction, peace and security, fight against international terrorism, private sector development, energy security, natural disasters, equitable trade practices, urbanisation (though some of these issues are not necessarily global challenges).

Greater coordination between the EU and the ACP at the international level, as well as the need to promote Policy Coherence for (Sustainable) Development were largely emphasised as needed in order to achieve better results when addressing global challenges.

ii) Human rights, democracy and rule of law, as well as good governance (Q3-4)

Respondents have been generally critical on the extent to which the CPA mechanisms (i.e. political dialogue, financial support, appropriate measures, suspension of development cooperation) have contributed to improving human rights, democracy, rule of law and good governance, including the fight against corruption. Political dialogue as foreseen in Article 8 of the CPA is seen as too EU-driven, technical and formalistic.

Nevertheless, the need to preserve and strengthen political dialogue in the future was underlined by many respondents who acknowledged that political dialogue has allowed raising the profile of certain human rights and controversial issues in the development agenda.

A majority of respondents consider that the involvement of key stakeholders has been useful but not sufficient to promote human rights and democratic governance, and that more should be done to further encourage their participation. Many respondents point to the shrinking space for Non State Actors (NSAs) in several ACP States because of restrictive legislation adopted during the past decade reducing their degree of autonomy and freedom. In particular, the EU should continue to support Civil Society Organisations (CSOs) and local authorities with additional capacity-building and financial resources and actively seek their participation in political and economic processes, especially at the local level.

iii) Peace and security, fight against terrorism and organised crime (Q5-6)

The provisions on peace and security are considered in general as appropriate and useful, most notably in relation to Africa, with the recommendation to improve and strengthen them further. It is also underlined that regional organisations have gradually become more prominent in this domain, with the result that the added value of the ACP Group is somewhat limited in this regard. Therefore, in order to ensure an effective approach to peace and security issues, the emerging consensus is that greater integration of national, regional or continental level approaches should be sought.

The majority of respondents indicate that the future partnership should provide for more effective joint action on conflict prevention, peace-building and state-building activities, as well as on tackling transnational security challenges. The future partnership framework could

allow for a comprehensive approach to peace and security, provided there is sufficient joint planning and coordination so that the existing duplications and gaps between transnational, regional, national and thematic support by the EU and its Member States are avoided.

A smaller number of respondents believe that the future EU ACP partnership should not be (further) involved in the above-mentioned areas. In their view, continental, regional and national levels are more relevant to deal with these specific issues. Moreover, the EU should try to engage with other partners at the global level – in particular the UN – and seek to cooperate with international powers like the USA, Russia, China and India, wherever possible.

iv) Sustainable and inclusive economic growth (Q7-16)

The opinions on the overall record of the CPA in promoting sustainable and inclusive economic development are divided, not least because of the problems related to attributing results. Some have argued that the CPA has significantly contributed to poverty reduction and economic growth, ensuring country ownership and achieving inclusiveness by addressing the needs of the most vulnerable people. Others have taken a more critical stance, arguing that the EU has pursued an economic development model based on international trade and extractive industries, which has largely failed to reach all segments of the population in ACP countries. It is further argued by some that similar successes/failures could have been achieved through other agreements, rather than necessarily through the CPA.

Looking forward, there is general consensus that the adoption of the SDGs has provided an important framework for international cooperation and that any future partnership should be adapted to ensure the effective implementation of the 2030 agenda in the various ACP countries. In line with this, it would be necessary to tackle inequality, support greater trade and investment opportunities, focus more on private sector development, provide better evidence-based PCD analyses, pay additional attention to cross-cutting issues, ensure greater collaboration and inter-institutional dialogue between the EU and ACP, and increase ownership of local/regional governments and CSOs and grass-roots organisations with the aim of ‘localising’ the SDGs.

The contribution of the partnership's trade preferences to the integration of ACP countries in the world economy and to its development goals is generally considered positive, albeit less than expected. Economic Partnership Agreements (EPAs), the Everything But Arms initiative and the trade related assistance to Least Developed Countries (LDCs) have been instrumental for improving ACP countries' position in world trade (notably EU-ACP). However, integration into the world economy is uneven and the impact on poverty reduction is questioned.

EPAs are a subject where no general consensus seems to emerge. They have undoubtedly contributed to investors and traders' confidence in ACP economies and the EU should increase its ambitions during trade negotiations with ACP States to achieve the maximum reciprocal liberalisation. However, it is questioned if the trade preferences have been in the ACP's interest in the longer run. Moreover, some respondents go on to say that EPAs and

most importantly the EU's policy in the World Trade Organisation (WTO) have gravely damaged agricultural production and food security in the ACP countries.

Most contributors see the need for further specific provisions on trade cooperation in the future. There is a need for some substantial additions and revisions. A number of suggestions are made, such as: the enhancement of infrastructure, trade facilitation issues, mechanisms for industrial development and capacity building of ACP countries, increased opportunities for liberalisation of services and investment as well as trade-related areas such as regulations and competition, especially for countries that have not signed EPAs yet.

Looking at more sector-focussed elements, there are mixed views on the record of the CPA in supporting macroeconomic and financial stability. The starting point is that the effectiveness depends to a large extent on specific contexts and therefore it is difficult to establish a clear link between the CPA measures and the improvements observed in the country.

Most contributions consider that the mobilisation of the private sector and the attraction of FDI are areas where the Partnership has not been effective. Their view is that economic trends in the world economy and other economic and political factors such as the improved business enabling environment, better trading environment and more effective economic infrastructure in the ACP countries are behind any improvement. A small group of respondents offer a more positive assessment. The perception is that, overall, the CPA has positively contributed to improving the investment climate.

Respondents also consider that the potential of the EU and ACP private sectors could be better harnessed by further improving the business enabling environment (particularly for micro-, small- and medium-sized enterprises), the trading and investment climate through effective investment promotion and protection agreements and legal frameworks that respect basic environmental and social rights. Official Development Assistance (ODA) is seen as a catalyst for mobilising a wide range of resources. However, Domestic Resource Mobilisation (DRM) is still considered as the main resource for development.

The general view is that advantages of the digital economy have not yet been fully reaped. The digital economy can potentially contribute significantly to the expansion of the private sector and the economic development of ACP countries, notably through enabling access to international markets, the transfer of technology and business networking. One should not only focus on the economic benefits of Information and Communication technologies (ICT), but also seek to capitalise on their social and political impacts.

For some, the CPA has been effective in contributing towards an increase in agricultural development and trade, particularly through the European Development Fund (EDF). This has led to increased crop productivity and access to water for low-income rural populations, agricultural research and extension services, and engagement with low-income rural populations. In contrast, a smaller group believes that the CPA has not contributed, stating that it has not encouraged effective diversification nor has it resulted in increased levels of exports.

v) Human and social development (Q17-18)

A large majority of respondents state that the CPA has contributed to making substantial progress on human development, including poverty reduction, gender equality and empowerment of women, yet some important challenges remain. Many underline that the strong poverty focus of the CPA, through the EDF, has been well targeted to achieving MDGs, particularly poverty eradication and gender equality. An important consideration is that impacts are not easily attributable to the CPA due to lack of aggregated evidence.

The starting point is that of harmonising the future agreement with the 2030 Agenda as much as possible to be able to deliver on these top priority objectives in the most efficient and effective way possible. In terms of specific goals, the top five priorities raised by respondents include: education (SDG 4) and health (SDG 3); decent employment, especially for the youth (SDG 8); poverty reduction-inequality nexus (SDG 10); environmental sustainability and climate change (SDG 13); gender equality and the empowerment of women, girls and youth (SDG 5).

vi) Migration and mobility (Q19-20)

There is a general negative assessment of the effectiveness of the CPA's contribution to the area of migration. The lack of consistency between the EU and ACP agendas is cited as one of the main obstacles in this regard. Africa is often quoted as a showcase where countries focus on development aspects (e.g. remittances, brain-gain), while the EU is much more interested in readmission, control measures and the security aspects of migration. The narrow focus of Article 13 CPA on legal residents, migrants legally employed in EU and ACP countries, returns and readmission of nationals illegally present on the territories of EU and ACP countries, is considered one of the main causes of its limited contribution to the discussion on migration issues.

The majority of responses suggest that the main objectives with regard to migration in a future partnership framework should focus on the respect of migrants' human rights and the promotion of fair, safe and responsible migration, the fight against human trafficking, abuse and discrimination as well as tackling the root causes (notably armed conflict and climate change) of forced migration, circular and South-South migration. In this regard, the inclusion of La Valletta Summit's political agreement and the associated Action Plan of November 2015 is considered fundamental. Some question whether the ACP-level is actually the right one to address migration issues. For them, in fact, regions are better suited, particularly since some countries of origin and transit are not included in the ACP Group.

II. Towards a more effective partnership (the 'how')

i) A stronger political relationship (Q21-23)

Political dialogue is widely recognised as one of the main elements of the CPA, and is generally perceived as a useful tool as it allows a regular exchange with partner countries on topics of common interest. However, there is no consensus on its effectiveness. It is considered most effective at national level, although its quality varies from one country to another. Political dialogue at regional level is seen as complementary and necessary, but has been limited due to resource constraints and lack of institutional capacities of regional organisations. At the ACP level, existing structures could be better used to forge common positions in international organisations and negotiations – as was the case at COP21.

Many respondents point out that political dialogue remains underused, limited notably by its often rigid and formalised nature, as well as the lack of transparency and insufficient involvement of other key stakeholders such as civil society and local authorities. Most respondents agree that the scope of political dialogue should be broadened to be as comprehensive as possible. A greater involvement of key stakeholders is deemed necessary, as well as a stronger involvement of EU Member States (MS) in view of strengthening synergies to provide for more leverage. However, it is underlined as well that EU MS are not a homogeneous group and some want to keep their own engagement with partner countries.

A majority of respondents consider that the legally binding nature of the agreement has been instrumental to its implementation (e.g. political dialogue), and some call for strengthening this dimension. This being said, others point to the fact that certain legal provisions have not been fully implemented and argue that reciprocity and a consensus on basic principles as well as political dialogues, do not necessarily have to be conducted within the framework of a legally binding agreement.

ii) Coherence of geographical scope (Q24-26)

A number of respondents stress that certain key values and principles should always be central to any future partnership and that it should be integrated within the broader external objectives of the EU. While there are some in favour of one agreement for all ACP countries, many state that the future partnership should adapt to the increasingly sub-regional approach that the EU has been following to address foreign policy, security, trade and development concerns in the ACP regions. Nevertheless, it should be noted that regional frameworks may still be fragile and criticised for lacking means of implementation. One option could be that of maintaining a revised and slimmed-down EU-ACP agreement as an umbrella agreement, complemented with individual and more substantial agreements at the regional level. Some propose to split the current partnership into three more specific geographical groupings and no longer consider the ACP Group as one.

As regards opening the EU-ACP partnership to other countries, many share the view that this could be useful, particularly towards developing and neighbouring countries that face similar challenges (e.g. LDCs, Small Islands and Development States (SIDS)). On the other hand, a

different view is that opening to other countries would further dilute the importance of the EU-ACP partnership, potentially making common ground harder to find and reducing the capacity for effective collective action. Overall, a consensus seems to emerge that the geographical scope should remain very broad to allow a critical mass to have an impact on global issues, and build alliances around coherent thematic groupings.

Looking at building more structured relationships with other regions beyond the ACP Group, a large majority of respondents agree that there is scope and opportunity for including emerging partners in Asia and Latin America. Many respondents underline that such a structured relationship would be particularly necessary with Africa (treated “as one” and therefore integrating North Africa), and that deepening the political partnership with Africa is a key priority.

iii) Cooperation tailored more towards groups of countries with a similar development level (Q27-28)

The current system of aid allocation is mostly considered to strike a good balance between prioritisation of needs and greater aid effectiveness. Still, for some it is not adequate for targeting countries most in need, it is too technocratic and can even be counterproductive. Those with this view consider that need, capacity and performance are rarely aligned and the neediest countries tend also to have the least capacity and the poorest performance.

As for the future partnership, the general view is that the allocation of resources should continue to prioritise countries most in need, notably LDCs and fragile states, in line with the 2030 Agenda. At the same time, some respondents suggest that resource allocation should take into consideration in-country inequalities and various types of vulnerability. In fact, differentiation does not necessarily mean graduation.

Many state that partnerships should go beyond only aid, traditional donor-recipient dynamics, and beyond one-size-fits-all approaches. It is suggested to explore tools, including innovative forms of assistance such as: blending; knowledge and experience sharing; twinning and Technical Assistance and Information Exchange (TAIEX)-like initiatives. Several respondents underline that ODA should mainly act, if not exclusively, as a catalyst for domestic resources and FDI mobilisation.

iv) Strengthen the relationship with key actors (Q29-33)

The CPA is acknowledged as quite unique in its recognition of the role of NSAs. However, most respondents have mixed views on the effectiveness of the current model of stakeholder engagement and note a strong discrepancy between the principles enshrined in the agreement and how the partnership is implemented in practice. CSOs mainly underline that mechanisms for ensuring full participation of civil society in the partnership have been developed, but have to date functioned on an ad hoc basis. Various respondents also point to a low involvement of the private sector.

A large consensus emerges on the need for stronger and broader engagement from all types of stakeholders. The need for an enabling environment was largely cited as essential to promote

efficient and effective stakeholder engagement. Many responses underline the need to establish legal frameworks and specific and sustainable consultative mechanisms at national and regional levels, to ensure increased participation. Access to information and more transparency were stressed as well.

A number of respondents suggest that the promotion of triangular and South-South cooperation should be done in the framework of support to regional organisations and regional economic integration. For example, the EU could support ACP partner countries that have more potential or experience to support other countries in their region. Many agree that the preferred modalities for this type of cooperation are: technical assistance, capacity building, technology transfer, peer learning, sharing of experiences, and exchange of best practices.

v) Streamline the institutional set-up and functioning of the partnership (Q34-37)

A large majority of respondents believes that the joint institutions have not been effective. They have functioned in a rather bureaucratic way, focusing mainly on financial and technical cooperation and side-lining the political substance of the partnership. The track record of the existing ACP-EU framework in dealing with common challenges is sobering and therefore the institutions should be substantially revised. A small group of responses take a more positive view on the effectiveness of the joint institutions, arguing that they have played not only a symbolic role, but they have fostered constructive dialogue between partners.

However, opinions are clearly divided when considering the added value of the joint ACP-EU institutions as compared to more recent regional and regional economic community frameworks for dialogue and cooperation. One group considers the joint institutions of key relevance as they provide for genuine dialogue, strengthen the ACP-EU positions in the global arena and make ACP countries' political voice stronger. For the other group, the regional cooperation between the EU and ACP has largely been taken over by new regional and sub-regional organisations. In both cases, respondents show preference for changes in the current institutional arrangements to address common challenges and promote joint interests.

Finally, a large majority of respondents is in favour of requesting a higher degree of self-financing by the ACP States, which would be in line as well with the ACP ambitions to be an autonomous player. However, contributions should be dependent on financial capacity. Few argue that this is not relevant. While self-financing is important, several ACP countries are among the poorest in the world and face considerable resources challenges.

vi) Better adapted and more flexible development cooperation tools and methods (Q38-43)

Respondents are divided over the added value of having a dedicated financing instrument in support of the ACP-EU partnership. A slight majority considers there is added value, not only because it ensures predictable and reliable funding but mostly because the EDF is perhaps one of the most tangible and significant aspects of the ACP-EU relationship. This notion is challenged by those who see the EDF as a duplicate of the Development Cooperation

Instrument (DCI) but with different arrangements. Many responses show that the EDF ‘budgetisation’ is highly desirable.

The assessment of the current system of co-management generates another divide among respondents. Some consider it promotes the principles of ownership and partnership, the alignment to government policies and the achievement of results. Others do not believe there is any added value, as the National Authorising Officer (NAO) system has developed into an obstacle because it is isolated from decision-making centres and adds more layers of bureaucracy, which can reduce the flexibility and responsiveness of aid.

There is a general agreement about the contribution of the current programming process to the ownership of development processes by the ACP countries. It is essential that this principle be reinforced. In parallel, respondents underline that the ACP Group must take full ownership of its institutions, including their finances. Respondents also recognise the potential of EU joint programming to improve the quality of EU development cooperation by enhancing transparency, accountability and coordination within EU Member States, although more progress should be made in joint modalities for delivering aid, delegated cooperation, or monitoring and evaluation mechanisms.

The variety of existing tools to support the EU and ACP common principles and interests is considered broad although gaps still remain (e.g. twinning and TAIEX could be added). The effectiveness of budget support generates agreement among respondents. It should remain the key implementation modality of any future financing instrument but with a higher degree of flexibility during implementation. Most respondents agree with the need to request co-financing from countries that have reached a certain level of development. Sustaining the ACP structure with only EU resources is incompatible with the ambitions of the ACP to be an autonomous player and it greatly reduces the legitimacy, credibility and effectiveness of the ACP Group.

Finally, respondents identify areas where the expertise of the EU and its Member States can be better mobilised, particularly in the middle-income countries: exchange of experiences (e.g. through twinning and peer-to-peer partnerships); technical assistance and transfer of knowledge (e.g. for sustainable agriculture or the preservation and sustainable management of natural resources); non-ODA cooperation and private sector development (e.g. increased role of diasporas or triangular cooperation actions with other ACP countries); and institutional dialogue (e.g. network of information-sharing and strengthening of institutional dialogue).

Overview of received contributions by country and category

Table 1. Geographic distribution of contributions

Country of origin	Number of responses
EU	
Austria	2
Belgium	25
Czech Republic	2
Finland	7
France	8
Germany	3
Hungary	1
Italy	2
Lithuania	1
Luxembourg	2
The Netherlands	2
Poland	1
Portugal	3
Spain	2
Sweden	3
United Kingdom	12
Non EU	
Benin	2
Cabo Verde	1
Cameroun	1
Democratic Republic of Congo	2
Ethiopia	1
The Gambia	1
Ghana	3
Guinea-Bissau	2
Jamaica	1
Mauritania	2
Mexico	1
Morocco	2
Samoa	1
Swaziland	1
Togo	1
Uganda	4
USA	1
Total	103

Table 2. Stakeholder categories

Category of stakeholder	Number of responses
Associations	16
Civil society organisations	23
Citizens	13
Companies	4
Public authorities / International organisations	41
Think tanks	6
Total	103