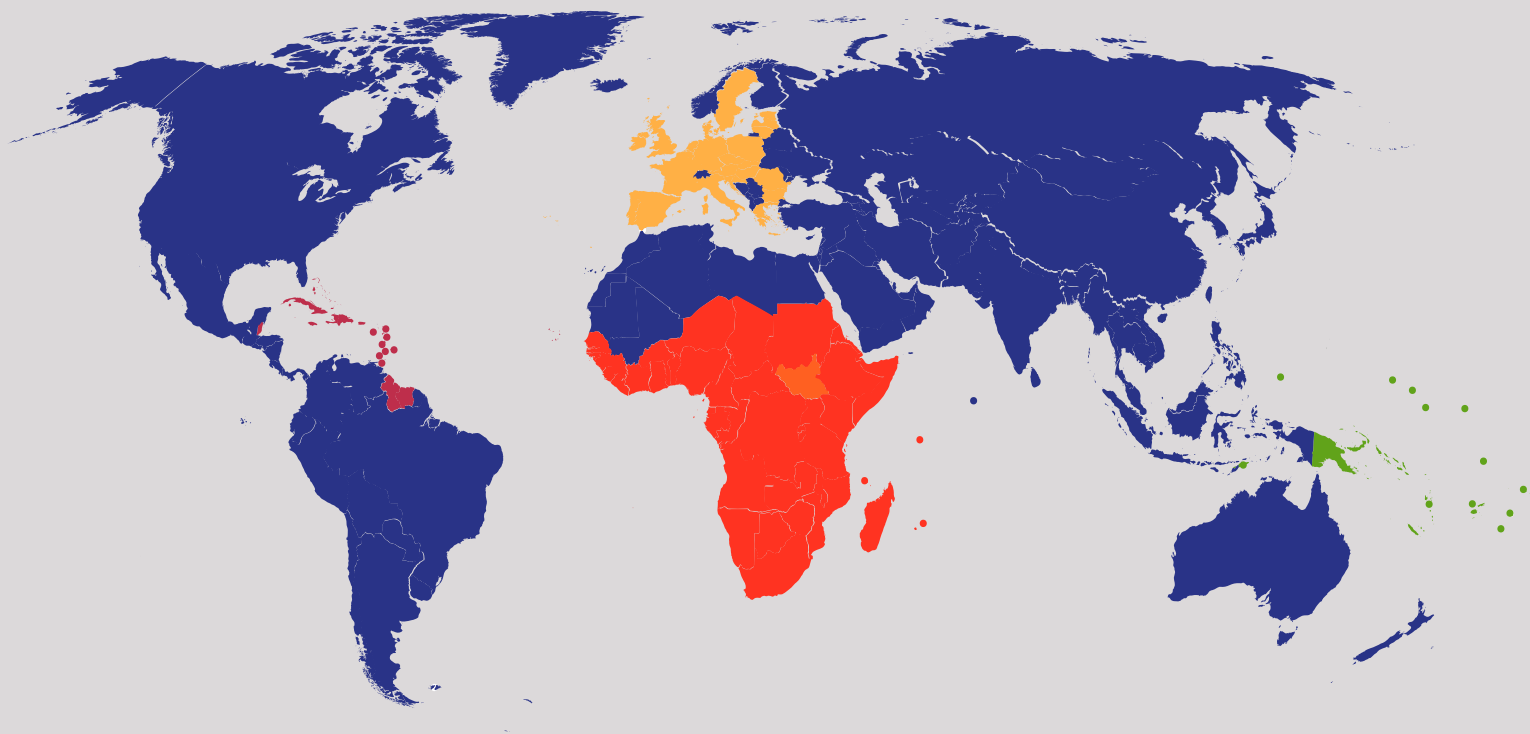


INSIDER'S GUIDE TO THE POST-COTONOU AGREEMENT



ABOUT CONCORD

CONCORD is the European Confederation of Relief and Development NGOs. Our member organisations represent more than 2,600 NGOs and are supported by millions of people across Europe.

We are the main interlocutor with the EU institutions on development policy. We are a member-led organisation, which means that the Confederation's strategic direction is determined by our members.

VISION

We envision a world in which people live free of poverty and exploitation. This must be achieved by a people-led transformative agenda based on social justice and gender equality, one that respects diversity and the limits of what our planet can sustain.

MISSION

We work together to ensure that EU policies promote sustainable economic, social and human development, addressing the root causes of poverty, and based on human rights, gender equality, justice and democracy.

More at: concordeurope.org

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ABOUT THE PRESIDENCY PROJECT

“Towards an open, fair and sustainable Europe in the World” – The slogan of the EU Presidency Project (EUPP) is a call to action for all of us! We join hands to increase public support for a European Union that puts global solidarity, the Agenda 2030 for Sustainable Development, development cooperation, human rights, and the inclusive participation of civil society at the centre of its work.

EUPP brings together national and pan-European NGO platforms for development and relief representing the current and upcoming EU Council Presidencies. From July 2020 to December 2021, VENRO (Germany), Plataforma Portuguesa das ONGD (Portugal), SLOGA (Slovenia) and the pan-European NGO network CONCORD closely collaborate to advocate for coherent development cooperation policies and positive change in Europe and beyond.

The four partners pursue the efforts of the previous EUPP cooperation between FOND (Romania), Fingo (Finland), CROSOL (Croatia) and CONCORD (January 2019 to June 2020). The French, Czech, and Swedish national NGO platforms will then take over the project in 2022.

More at: presidency.concordeurope.org

ACKNOWLEDGEMENTS

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Members of the CONCORD Regional Alliances group and partners in the Presidency Project have provided overall guidance and inputs to the writing of the guide. The EU-OACP work also incorporates valuable contributions from other working structures in CONCORD.

This guide, addressed to Civil Society Organisations (CSOs) in both the EU and in African, Caribbean and Pacific (ACP) countries, pinpoints the crucial sections in the **negotiated text of the Post-Cotonou Agreement** and shows what CSOs themselves can do in terms of advocacy to influence the implementation of the Agreement. Designed as a user-friendly tool to complement **CONCORD Europe's extended analysis and advocacy statement**, which provides an in-depth, policy-oriented assessment of the current state of play, the guide explains *why* civil society must engage with the Agreement, and *how* to go about it.

The guide begins with a summary of the Post-Cotonou Agreement, explaining why it is so important, and is followed by an overview of the role for civil society envisaged in the Agreement. To give civil society actors further clarity on advocacy strategies and entry points, the guide then focuses on some key topics – and gaps. Here it also gives tips on getting involved, such as how to engage with the EU and the Organisation of African, Caribbean and Pacific States (EU-OACPS) Joint Parliamentary Assembly, and how to keep the institutions accountable. It ends with a brief section pointing the way forward.



WHAT IS THE POST-COTONOU AGREEMENT?

The new partnership agreement between the European Union and the members of the Organisation of African, Caribbean and Pacific States (OACPS, formerly known as the ACP Group of States) marks the formal conclusion of their negotiations of the Post-Cotonou Agreement, and sets the framework for political, economic and sectoral cooperation for the next twenty years. The negotiated version of the Agreement was published by the European Commission on 15 April 2021, and is expected to be signed in the second half of 2021.

This Post-Cotonou Agreement will supersede the current Cotonou Partnership Agreement, a comprehensive, legally binding framework for relations between the countries in Africa, the Caribbean and the Pacific (ACP) and the EU.¹

The new Agreement begins with a “common foundation” which sets out key values and principles and indicates the strategic priority areas that both sides intend to work on. These are: (i) Human Rights, Democracy and Governance in People-Centred and Rights-Based Societies; (ii) Peace and Security; (iii) Human and Social Development; (iv) Environmental Sustainability and Climate Change; (v) Inclusive Sustainable Economic Growth and Development; and (vi) Migration and Mobility. This foundation part is followed by three action-oriented Protocols for Africa, the Caribbean and the Pacific, respectively. Each protocol focuses on that region's needs and sets out its own governance systems for managing and steering relations both with the EU and with the other regions involved, including through regional parliamentary assemblies.

¹ For more, see: <https://www.forumsec.org/post-cotonou-negotiations/>.

WHY IS THE POST-COTONOU AGREEMENT IMPORTANT? WHO BENEFITS FROM IT? HOW DOES IT DIFFER FROM THE COTONOU AGREEMENT?



The Post-Cotonou Agreement is a legally binding treaty which, is expected to shape political, social and economic relations between 106 countries across four continents. It will put a strong emphasis on cooperation in international fora and on building alliances on the global scene.

The Agreement will also reinforce the capacity of the OACPS and the EU to act together on environmental and climate change challenges. The same goes for other issues with a global dimension, such as migration and mobility, and for peace and security, where cooperation is expected to be stepped up. The new Agreement should, moreover, be a powerful tool for advancing the UN 2030 Agenda and the Sustainable Development Goals (SDGs), especially given that, taken together, the states belonging to the EU and the OACPS occupy over half of the seats at the United Nations.

The new Agreement will provide an important space for dialogue on issues of common concern in all the areas covered by the partnership and beyond. Partnership dialogue will be one of the key tools for delivering on matters of common interest.²

Most importantly, the Agreement lays down a legal framework for cooperation between the EU and each individual ACP state. In a significant departure from the previous Agreement, however, it abandons the European Development Fund (EDF), which has been the financial arm of EU-ACP cooperation for several decades. With this change, the Agreement will likely lose some of its uniqueness and significance for ACP partners, and the Regional Protocols become disconnected from financing. Financial cooperation priorities and procedures will now be governed by 'Global Europe',³ a new financial instrument for which the EU will have sole responsibility and authority, and which will be used to fund EU external actions in all regions, including those beyond ACP countries. There is no 'all-ACP' financial package in the Global Europe instrument, and the resources allocated to the Caribbean and the Pacific will be mixed in with those for Latin America and Asia.

It is important to note that there is a minimum allocation each for the Caribbean and Pacific regions, respectively, in the period 2021-2027. Another major change is that the trade preferences and Economic Partnership Agreements which (together with political dialogue and development cooperation) were part of the Cotonou Agreement but will now be negotiated and governed independently of the EU-OACPS Agreement.

Moreover, in the case of sub-Saharan Africa, it is worth noting the importance that the EU attaches to EU-Africa partnership, both at the political level and with regard to security, migration, and trade and economic relations. The new Regional Protocol for Africa will co-exist with the renewed EU-Africa Joint Strategy⁴ to be adopted at the next EU-Africa Summit (hopefully in 2022), and it is intended that the two should align with one another rather than duplicating or contradicting each other.

² For more, see the European Commission's Questions and Answers on the new EU/Africa-Caribbean-Pacific Partnership Agreement, available at: https://ec.europa.eu/commission/presscorner/detail/en/qanda_21_1553.

³ CONCORD Europe is preparing a toolkit where people will find more information on the Global Europe instrument and its effects.

⁴ For more, see <https://africa-eu-partnership.org/en>. See also CONCORD's reaction to the joint EEAS-EC communication to the Joint Africa-EU Strategy at <https://concordeurope.org/2020/05/11/eu-path-to-strategy-with-africa-in-times-of-covid-19/>.

WHAT STRUCTURES DOES THE NEW TREATY ENVISAGE FOR CIVIL SOCIETY INVOLVEMENT WITH THE POST COTONOU AGREEMENT?



The Post-Cotonou Agreement aims at promoting a multi-stakeholder approach, enabling a wide variety of actors – including parliaments, local authorities, civil society and the private sector – to engage actively in partnership dialogue and cooperation processes.

There are several references, in both the foundation and the Regional Protocols, to the importance of ensuring that the relevant actors and organisations will be informed, consulted and involved, when appropriate. The Agreement also promotes the active participation of young people, including in developing, implementing and following up on policies affecting them.

The place and role of civil society in the political and policy dialogue and in the implementation of the Post-Cotonou Agreement are clearly outlined in the text. Civil society and/or (multi)stakeholders are referred to in the following articles (bold indicates the most relevant references):

- **Foundation: Article 2 (8)** on principles / **Article 3 (4)** on partnership dialogue / **Article 5 (3)** on actors / **Article 11 (3) and (4)** on pluralistic societies / **Article 17 (3)** on conflict and crisis / Article 24 (2) on illicit drugs / Article 40 (3) on public-private dialogue on economic development / Article 49 (5) on dialogue on trade and sustainable development / **Article 50 (10)** on trade arrangements / Article 54 (2) on environment and climate change / Article 61 on disaster response / Article 63 (5) on legal migration and mobility / Article 64 (1) on integration and non-discrimination / Article 78 (4) on multilateralism and global governance / Article 82 (9) on programming development cooperation / Article 84 (3) on dialogue on remittances / Article 95 on engagement with stakeholders.
- **Africa Regional Protocol: ARP Article 5** on consultation with stakeholders / ARP Article 6 (2) on monitoring implementation / ARP Article 19 (8) on the blue economy / ARP Article 20 (5) on extractive industries / ARP Article 38 (3) on culture, sport and people-to-people contacts / ARP Article 43 on the environment, natural resources and climate change / ARP Article 50 (3) on

water management / ARP Article 51 (9) on climate action / **ARP Article 55 (3)** on peace and security / ARP Article 57 (2) on terrorism, violent extremism and radicalisation / ARP Article 61 (2) on illicit drugs / **ARP Article 64** on an enabling space for CS / **ARP Article 65 (5)** on human rights / **ARP Article 67 (5)** on democracy.

- **Caribbean Regional Protocol: CRP Article 1 (3)** on genuine partnership / **CRP Article 7** on consultation with stakeholders / CRP Article 8 on implementation / CRP Article 20 (4) on tourism / CRP Article 22 (3) on culture and the creative industries / CRP Article 30 (5) on response to disasters / **CRP Article 34 (3)** on governance and civic space.
- **Pacific Regional Protocol: PRP Article 7** on mechanisms for consultation and engagement with stakeholders / PRP Article 8 on implementation, monitoring and evaluation / **PRP Article 38 (5)** on the realisation of human rights / **PRP Article 39 (2)** on democracy and civic space.

The Post-Cotonou Agreement provides a legal framework for participation by civil society, but this does not necessarily mean that implementation will follow quickly in all EU Member States or ACP countries or regions. As with the previous agreement, there is likely to be a gap between the possibilities offered in the Agreement and the reality on the ground, especially in the first few years.⁵

Furthermore, the procedures and conditions for ensuring the full, structured and effective participation of CSOs are still not clear. Like the previous agreement, the new one offers a promising framework for participation by civil society actors, but it does not create mechanisms for translating this aspiration into practice.⁶ Pushing for actual processes in which civil society can participate, and financial resources to support this participation, is thus one of the main ways of engaging with the Agreement as it begins to be applied, to ensure that its implementation is participatory, inclusive and transparent.

In the current general context of shrinking space for civil society (sometimes even a clampdown), it is a great achievement that the parties commit in the foundation of the

⁵ ECDPM, 2003. *The Cotonou Agreement: A User's Guide for Non-State Actors*, available at <https://ecdpm.org/publications/cotonou-agreement-users-guide-non-state-actors/>

⁶ ECDPM, *ibid.*

Agreement to protecting and ensuring freedom of expression, opinion and assembly and to preserving and broadening an enabling space for an active, organised, transparent civil society, thereby strengthening domestic transparency and accountability. We also welcome the fact that the parties will promote a multi-stakeholder approach, enabling the active involvement of a wide variety of actors in partnership dialogue and cooperation processes, including women and youth as key stakeholders. This positive approach is tarnished, however, by the fact that in several places the parties commit to strengthening the effective participation of civil society only “where or as appropriate”. It is unclear who will decide when and where it is appropriate – or not – to ensure that non-state stakeholders are informed and consulted on strategies and sectoral policies, and that they can provide inputs and take part in the implementation of cooperation programmes. Moreover, it is worrying that the participation of CSOs in development cooperation programmes will be based on the extent to which they address the needs of the population, their particular competencies and their ability to deliver accountable and transparent governance structures. These conditions could fall prey to a broad, hazy interpretation, hindering civil

society’s right of initiative and freedom of action and, in certain restrictive political contexts, obstructing its financing. A process establishing an ongoing structured dialogue with civil society actors and facilitating the involvement of local ones is needed. In this regard, it would have also been important to recognise the diversity of civil society actors and their levels of action (local, regional and national).

To build on the positive provisions of the Agreement, we recommend that institutional and operational structures and mechanisms for civil society participation be established from the outset, through an open, transparent dialogue and consultation process with EU and ACP civil society actors.

For more detailed information on specific mechanisms that could be created to enable structured participation by civil society, please refer to CONCORD Europe’s **Recommendations for a more effective and meaningful participation of civil society in the future EU-ACP relations** and the **Briefing on mechanisms for civil society in the EU-Africa pillar of the Post-Cotonou Agreement**.



KEY THEMES AND ENTRY POINTS FOR ADVOCACY



HUMAN RIGHTS, DEMOCRACY AND GOVERNANCE IN PEOPLE-CENTRED, RIGHTS-BASED SOCIETIES

The foundation of the Agreement reaffirms the parties' determination to "protect, promote and fulfil human rights, fundamental freedoms and democratic principles, [and] to strengthen the rule of law and good governance", recognising respect for human rights as an integral part of sustainable development. Respect for human rights, democratic principles and the rule of law constitutes an essential element of the Agreement, which means that each party can denounce non-fulfilment by the other under the dispute settlement mechanism (Article 101). There are many strong commitments in the foundation, including to defend civic space and everyone's right to development and to equal opportunities – opportunities both to access and to benefit from basic resources and entitlements such as education, health services, food, housing, employment and a fair distribution of income. The recognition of the importance of maintaining "strong data protection regimes and ensuring their enforcement" is welcome, but the risks associated with digitalisation, and the need to ensure that all benefit in equal measure from new technology, should also be addressed. While the Agreement refers to participatory governance, and declares that everyone may help promote human rights, including economic, social and cultural rights, it is unclear how this would be done in practice – or how it will be ensured that states fulfil their duty to uphold international human rights law, or that there will be accessible accountability mechanisms to give people equitable ways of holding their government to account.



GENDER EQUALITY

Gender equality is an objective of the Agreement, one of the principles laid down in the foundation, and a cross-cutting theme. There is a clear commitment to implementing fully the recommendations of the International Conference on Population and Development (ICPD) and the Beijing Platform for Action and their review conferences, and to promoting sexual and reproductive health and rights (SRHR). Where the Agreement commits the parties to addressing discrimination on the grounds "sex, ethnic or social origin, religion or belief, political or any other opinion, disability, age", it adds "other status", thereby giving leverage to tackle discrimination also on the grounds of sexual orientation or gender identity, even though these are not mentioned specifically. We believe, however, that a more comprehensive approach could be adopted during the implementation phase. Civil society actors may therefore wish to design strategies to ensure that all parties deliver effectively on gender mainstreaming, and that

women's and girls' rights and inclusion related to all areas of the agreement condemning discrimination on any basis.



HUMAN AND SOCIAL DEVELOPMENT

Human and social development is a strategic priority of the Post-Cotonou Agreement, covering different areas that CONCORD considers central to reducing inequality and lifting people out of poverty. There are clear commitments on education, the promotion of SRHR, health, housing, decent work, political participation, youth and children, and food security and nutrition. The Agreement fails, however, to include any commitments on important areas that are crucial to actually achieving SRHR, such as comprehensive sexuality education. Nor are such commitments included in the Regional Protocols. Moreover, we believe that the chapter on inequality and social cohesion is not comprehensive enough and does not properly address the myriad different kinds of inequality. For these reasons, civil society within and beyond the EU may want to urge the parties to respect and promote the sexual and reproductive health and rights fully of all people, especially girls and young women. Most importantly, civil society actors may want to push for the adoption of a structural, intersectional and rights-based approach to the implementation of the Agreement.



INCLUSIVE, SUSTAINABLE ECONOMIC DEVELOPMENT

The Post-Cotonou Agreement is less focused on trade, as it does not compel OACP states to negotiate economic partnership agreements (EPAs) with the EU. Importantly, the essential elements of the existing EPAs are being carried over into the new Agreement. Similarly, the aspirations regarding the socio-economic empowerment and inclusion of marginalised groups are commendable, as is the promotion of corporate social responsibility and responsible business conduct. However, there is no reference to the role of sustainable, inclusive businesses such as social economy enterprises and cooperatives, or to small-scale farming or agro-ecology. Civil society actors might want to highlight the fact that the Agreement has missed a key opportunity to call into question, and move away from, the current extractivist and export-led economy, in favour of a people-centred approach addressing inequality and focusing on local economic development which benefits everyone. It is vital to draw lessons from the economic impact of the COVID-19 pandemic and to rethink fundamentally, and re-purpose, the economic model promoted so far in EU-ACP relations.



MIGRATION AND MOBILITY

In comparison to the previous Agreement, the new one makes some progress on these issues by specifying several areas relating to regular migration that the parties should invest in (e.g. legal pathways, circular migration and the comparability of all qualifications). Nevertheless, we consider that this progress is still very limited and we regret that the new Agreement pays insufficient attention to the positive aspects of migration, to the positive contributions that migrants and a diaspora can make to countries of destination, and to possible joint actions that the parties could take to build on migration as a force for development.⁷ To have a greater impact on positive development, civil society actors might want to recommend that, in the implementation phase, the parties ensure that EU investment prioritises a human rights based approach that facilitates circular migration and mobility, reduces remittance costs, develops measures to counter racism and xenophobia, cooperates to improve the comparability of all qualifications, addressed the nexus between migration, climate change and environmental degradation, and integrates a gender-equality dimension into migration governance.



ENVIRONMENT AND CLIMATE CHANGE

The Post-Cotonou Agreement does attempt to discuss environmental sustainability and climate change holistically, by considering, for instance, their interlinkages with the current (harmful) economic model, employment and investment opportunities, food security, social equity and cultural well-being for current and future generations. It commits to mainstreaming environmental sustainability and climate change agendas into all policies, plans and investments, and to respecting the most relevant treaties and conventions on climate change, on the governance of oceans and seas, and on biodiversity. Unfortunately, the Agreement does not recognise the inherent contradiction in a growth-based economy, even when it supposedly attempts to move in the direction of limiting the economy's impacts on the environment. CONCORD does not believe that the structural failures implicit in the current economic model can be addressed simply by putting the word 'sustainable' in front of 'growth'. A GDP growth-based model will continue to cause rising inequalities and to harm the planet. In addition to that, the Agreement has missed a great opportunity to include a strong social perspective and solid human rights commitments in the broad area of environmental protection and natural resource management. For example, in the part related to the governance of seas and oceans, the Agreement could have recognised explicitly the fundamental role women and girls, youth and indigenous people play in protecting the human right to a healthy environment. Civil society actors might want to urge parties to take into account the social, human rights- and gender-related impacts and risks in the implementation phase, to ensure that a just green and social transition is achieved.



PEACE AND SECURITY

The Post-Cotonou Agreement recognises that peace, stability and security are critical components of sustainable development, and acknowledges the importance of achieving "inclusive development" as a precondition for sustainable peace and security. It commits the parties to preventing and addressing the root causes of conflict and fragility in a more holistic manner, and to involving civil society in dialogues and consultations aiming at conflict resolution. It does not, however, adopt an integrated approach to conflict or crisis, and it fails to link humanitarian, development, peace and security efforts at all stages of a conflict cycle. Civil society actors may want to call on the parties to emphasise the importance of building societal and community resilience by addressing human security more holistically and including all economic, social, environmental and political factors in their conflict analysis.

⁷ See, for instance, Mashika, A. and M. Nyman, 2021. "Does new EU-ACP deal really 'decolonise' aid?", *EU Observer*, 8 April, available at: https://euobserver.com/opinion/151472?utm_source=euobs&utm_medium=email.

HOW TO MONITOR AND INFLUENCE THE IMPLEMENTATION OF THE AGREEMENT: TIPS FOR CIVIL SOCIETY

To monitor and influence the implementation of the new Agreement, civil society actors may use various approaches and mechanisms to reach out to different stakeholders. Below is an overview of some of these opportunities for civil society involvement, based on the structures and frameworks in place as of 2021.



OACPS-EU JOINT PARLIAMENTARY ASSEMBLY (JPA)

The Cotonou Agreement created a Joint ACP-EU Parliamentary Assembly to bring together the members of the European Parliament and elected representatives of the African, Caribbean and Pacific states.

This parliamentary dimension is strengthened in the Post-Cotonou Agreement. An OACPS-EU Joint Parliamentary Assembly (JPA) will form part of the Agreement's institutional framework, and will meet once a year. It will be composed of members of the three regional Joint Parliamentary Assemblies (Africa-EU, Caribbean-EU and Pacific-EU) which, in turn, as consultative bodies, will be expected to meet in particular in advance of meetings of the relevant regional Council of Ministers.⁸

In a JPA, parliamentarians will review the implementation of the Agreement and discuss joint policy priorities: this offers civil society a good opportunity to get involved and make its voice heard. CSOs can use several tools in this process:

- Influence the agenda: CSOs can reach out to parliamentarians who sit on the JPA (from both the European Parliament and the national parliaments of ACP countries) to suggest what issues could be discussed at JPA meetings. Civil society representatives can sometimes be invited to speak during exchanges of views in a JPA. Be proactive: reach out to both members of the European Parliament (MEPs) and parliamentarians in the ACP countries, and suggest putting issues that are relevant to you on the agenda!
- Suggest parliamentary questions: Ahead of a JPA, parliamentarians can usually submit questions that will be answered by the European Commission or the European Council during a debate. CSOs can suggest questions to their parliamentarians. Be proactive: reach out to MEPs or members of national parliaments and suggest that they ask questions on the issues you care about!

- Organise side events: It is usually possible to hold side events at JPA meetings. CONCORD has often organised side events to address issues that are relevant and important to civil society, debating with parliamentarians, EU and ACP officials and civil society representatives from ACP countries. Civil society can also influence the outcomes of relevant discussions by, for instance, taking part in the consultations related to the JPA mechanisms and ways of working. This is a good opportunity to make CSO voices heard!



EU DELEGATIONS

The EU's Delegations (EUDs) in ACP countries will play a key role in implementing the Post-Cotonou Agreement. In particular, Delegations have an important role in:

- bilateral cooperation, this should go beyond “aid” and include elements such as trade, between the EU and partner countries, and the programming and implementation of EU-funded programmes through the Global Europe instrument; and
- the political and policy dialogue between the EU and its partner countries, in which important points and concerns can be raised about how the implementation of the Post-Cotonou Agreement is progressing.

Civil society organisations can engage directly with Delegations, usually through dedicated CSO focal points. They can share with EUDs their views and recommendations on the implementation of the Agreement. For example, EUDs do reports on Policy Coherence for Sustainable Development (PCSD) which is crucial for the implementation of Agenda 2030 and averting increasing marginalization, inequalities or pushing people further behind.

CONCORD Europe has produced a [detailed guide](#) for CSOs with tips on how to engage with EUDs (available in English, Spanish and French).

⁸ The JPA and regional JPAs are referred to in the following articles of the negotiated text of the Post-Cotonou Agreement: Article 86 (Joint institutions), Article 88 (OACPS-EU Council of Ministers), Article 90 (OACPS-EU Joint Parliamentary Assembly) and Article 94 (Regional Parliamentary Assembly).

PROGRAMMING AND IMPLEMENTING EU FUNDING INSTRUMENTS

As mentioned above, the EU is currently deciding how Global Europe, the new funding instrument for development cooperation, will be programmed – that is, what its spending priorities in each country or thematic area will be, which funding modality should be used in each context, and which actors are best placed to use the funding to achieve the desired objectives.

By engaging with the EU Delegations, civil society can raise its voice to make recommendations on the programming priorities, design and implementation of EU-funded programmes. It is important to note that EU Delegations are obliged to consult with civil society on the programming priorities.

In their bilateral dialogue with EUDs or with their own national or regional authorities, or in dialogues between civil society, the relevant state and the EU Delegations or even with EU member states' representatives in country, CSOs can refer to the obligations and commitments that both sides – the EU and ACP governments – have entered into in the Post-Cotonou Agreement, and can hold them to account if they fail to fulfil them.

See CONCORD Europe's **Policy Brief** on the EU programming process in partner countries.

MECHANISMS FOR CIVIL SOCIETY ENGAGEMENT

While the Post-Cotonou Agreement does contain welcome provisions on civil society participation, it sets up no practical mechanisms or frameworks that would actually enable civil society to be meaningfully involved in monitoring and implementing the Agreement.

- CSOs should advocate proactively for the establishment of institutional and operational structures and mechanisms for civil society participation from the outset, through an open, transparent dialogue and consultation process with civil society actors in the EU and the ACP.
- CONCORD has been discussing and sharing its views on such concrete mechanisms with ACP civil society partners and with the EU institutions since the negotiation process began. Our suggestions are summarised in this **[recommendation paper](#)** and **[this briefing document](#)**.

NEW FRAMEWORK FOR CIVIL SOCIETY PARTICIPATION AT CARIBBEAN, PACIFIC AND AFRICAN LEVEL

The establishment of the three Regional Protocols and their respective institutions offers new levels of engagement for civil society, as regional Caribbean and Pacific civil society coalitions, and pan-African or sub-regional African organisations, will now be able to engage with the Regional Councils of Ministers (involving the EU and the three regions) and the three regional joint committees at ambassadorial or senior official level.

Article 95 (2) provides, in particular, that “stakeholders shall be informed in a timely manner and be able to provide inputs into the broad process of dialogue, particularly in view of the meetings of the respective Councils of Ministers” and that “[i]n order to promote such engagement, open and transparent mechanisms for structured consultation with stakeholders shall be set up as appropriate. The results of the consultations with stakeholders shall be communicated to the relevant Parliamentary Committee and Council of Ministers or Joint Committee”, as appropriate.

EU relations with sub-Saharan Africa will offer another space for civil society engagement in the shape of the EU-AU political dialogue and joint strategy. When organising to influence EU-Africa cooperation and relations, civil society should keep both processes in mind and strategise around them.

SHIFTING POWER RELATIONS

In order to guarantee a truly transformative implementation of the Post-Cotonou Agreement, we must ensure a real and proactive shift in power relations.⁹ A more equitable development system between the EU and ACP countries will only be possible if we address the power structures responsible for perpetuating inequalities. This means addressing horizontal and vertical inequalities but also fundamentally moving away from neo-colonial narratives and practices that trap ACP countries in poverty, debt and unequal relationships.

⁹ For more see, <https://concordeurope.org/resource/towards-a-new-eu-africa-strategy-our-10-points-for-building-a-real-partnership/>. See also <https://concordeurope.org/2021/05/31/time-for-a-new-global-development-ecosystem/>.

THE WAY FORWARD



When launching the new EU-OACPS Agreement, both parties declared that it was opening up a new era in EU-OACP relations. If the new deal is to break with old paradigms, however, more effort needs to be put into promoting a fundamental shift in power relations and the robust inclusion of civil society actors in the implementation of the Agreement – which, in practice, means providing an enabling space for civil society through engagement mechanisms that are both concrete and effective.

In particular, when implementing the Agreement the EU and ACP countries should put their work against inequality front and centre, adopting a structural, intersectional, rights-based approach.

The aspirations reflected in the Agreement need to be the real guiding principles and primary goals as the new framework for EU relations with African, Caribbean and Pacific countries is used in practice.¹⁰

To build on the positive provisions of the Agreement, we recommend that institutional and operational structures and mechanisms for civil society participation be established from the outset, through an open, transparent dialogue and consultation process involving EU and ACP civil society actors. CONCORD's specific recommendations are available [here](#).

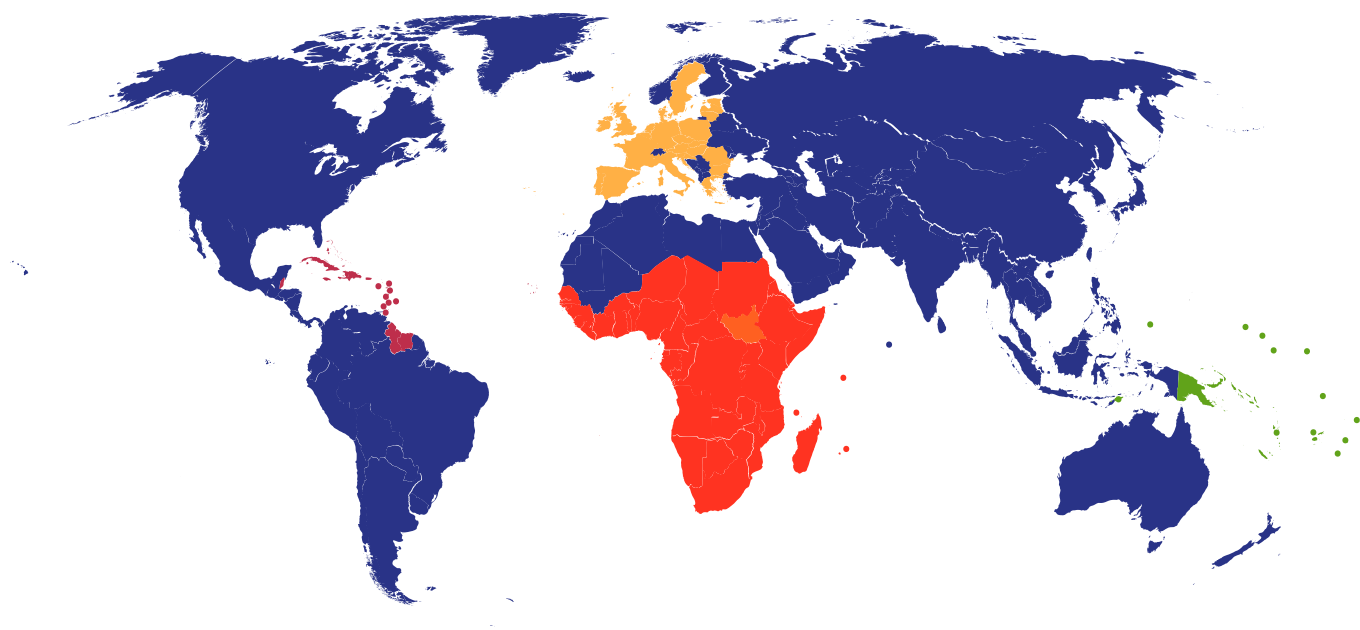
FURTHER READING

European Commission – [“The Cotonou Agreement”](#) (June 2000)

European Commission – [“Questions and Answers on the new EU/Africa-Caribbean-Pacific Partnership Agreement”](#) (April 2021)

ECDPM – Briefing Note [“New beginnings or a last hurrah? The OACPS-EU Partnership in 2021-2041”](#) (April 2021)

Konrad Adenauer Stiftung – [“Insights into the EU-OACPS Negotiations 2018-2021”](#) (April 2021)



¹⁰ Mashika, A. and M. Nyman, *ibid*.

OUR MEMBERS





The project 'Towards an open, fair and sustainable Europe in the world – EU Presidency Project 2020-2022' is funded by the European Union and implemented by the Association of German Development and Humanitarian Aid NGOs (VENRO), the Portuguese Non-Governmental Development Organizations Platform (Plataforma Portuguesa das ONGD), the Slovenian NGO Platform for Development, Global Education and Humanitarian Aid (SLOGA), and the European NGO confederation for relief and development (CONCORD).



Disclaimer: This publication has been produced with the financial assistance of the European Union. The contents of this publication are the sole responsibility of the EU Presidency Project partners VENRO, Plataforma Portuguesa das ONGD, SLOGA, and CONCORD and can under no circumstances be regarded as reflecting the position of the European Union.