**Post-Cotonou and organised civil society**

Dear Mr Trindade,

On behalf of the **Members' Research Service** of the European Parliamentary Research Service (EPRS), I have the pleasure to communicate below a **personal Tailored Analysis** on **Post-Cotonou and organised civil society**. It is supplied in response to your request, to assist you in the performance of your duties. This is a personalised briefing delivered to you in confidence and not intended for publication for a wider audience.

Kind regards,

Eric PICHON

*Policy Analyst*

Email: eric.pichon@europarl.europa.eu

Phone: 0032 2 28 46178

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| Answered by: | PICHON Eric, VERNET Anne |

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# State of play

After two years of negotiations, the [negotiated text](https://ec.europa.eu/international-partnerships/system/files/negotiated-agreement-text-initialled-by-eu-oacps-chief-negotiators-20210415_en.pdf) of the renewed partnership agreement between the European Union (EU) and the Organisation of African, Caribbean and Pacific States (OACPS) was initialled in April 2021. **The new agreement will consist of a common core complemented by three regional protocols (Africa, Caribbean, Pacific), all of which are binding.**

The current partnership agreement ("The Cotonou Agreement") was due to expire in February 2020. The ACP Group of States – subsequently the OACPS – and the EU launched negotiations for a "post-Cotonou" agreement in September 2018. These multi-level negotiations (common core and regional protocols), the coronavirus crisis and difficulties in reaching agreement on sensitive issues, such as migration management and sexual and reproductive rights, prevented the finalisation of the new agreement by the original expiry date set in the Cotonou Agreement.

To avoid a legal vacuum in relations, the provisions of this agreement were extended until the end of November 2021. The European Parliament insisted on the continuation of the ACP-EU Joint Parliamentary Assembly and was successful; in addition, three regional parliamentary assemblies will be established as part of the future institutional structure of the partnership.

The European Commission published in June 2021 a [proposal for a Council Decision](https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=CELEX:52021PC0312) on the signing, on behalf of the European Union, and provisional application of the Agreement (COM/2021/312). **The provisional application and entry into force of the new agreement will only take effect following the procedures provided for in the European Treaties and by the OACPS.**

The priorities of the negotiated agreement include many elements of **key importance for civil society**, including the social partners: multilateralism; human rights, democracy and governance; peace and security; human and social development; inclusive and sustainable economic growth and development; environmental sustainability and climate change; and migration and mobility. (*see Annex 1: Priorities of the future agreement).*

# Organised civil society and the ACP-EU partnership

## Consultation structures

Organised civil society, in the broad sense: non-governmental organisations (NGOs), social partners (employers' organisations, trade unions involved in social dialogue), chambers of commerce, cooperatives, networks of farmers and small-scale fishermen, consumer representatives, etc. Among EU Member States there are several associations [at European level](https://ec.europa.eu/social/BlobServlet?docId=2154&langId=fr) – e.g. [CONCORD](https://concordeurope.org/about-us/) for humanitarian and development NGOs; [BusinessEurope](https://www.businesseurope.eu/) for private sector employers; European Trade Union Confederation ([ETUC](https://www.etuc.org/fr)) for workers; [SGI Europe](https://sgieurope.org/) for employers and providers of services of general interest; [EFFAT](https://effat.org/) for trade unions in the food, agriculture and tourism sectors and related industries.

On the other hand, such groupings are less structured at ACP level. The ACP Civil Society Forum ([ACP CSF](https://www.facebook.com/acpcsf.org)) is fairly [limited in its activity](http://www.acpypn.com/wp-content/uploads/2016/02/report_acp-csf_-final-rev.pdf). In relation to Africa, civil society organisations (CSOs) have advisory powers at the Economic, Social and Cultural Committee ([ECOSOCC](https://au.int/fr/apropos/ecosocc)) of the African Union. No similar structure exists at CARICOM, CARIFORUM or the Pacific Islands Forum.

At the level of the ACP-EU partnership, there is an [ACP-EU Follow-Up Committee](https://www.eesc.europa.eu/fr/sections-other-bodies/other/le-comite-de-suivi-acp-ue) for organised civil society within the European Economic and Social Committee (EESC). This Follow-up Committee is composed of equal numbers of EESC members and [delegates](https://www.eesc.europa.eu/sites/default/files/files/acp_delegates_to_the_acp_follow-up_committee_2020-2022.pdf) of African, Caribbean and Pacific civil society organisations. These are designated by organised civil society for each of the regions (Africa, Caribbean and Pacific), by structured international civil society organisations (International Trade Union Confederation ([ITUC](https://www.ituc-csi.org/)), International Organisation of Employers ([IOE](https://www.ioe-emp.org/fr/)), International Cooperative Alliance ([ACI](https://www.ica.coop/fr)), etc.).

## Positions on the future agreement

For the reasons set out above, it seems that no common position has been reached by ACP CSOs on the negotiations of the new partnership at ACP level or even at African, Caribbean or Pacific level. An [opinion survey](https://presidency.concordeurope.org/wp-content/uploads/sites/2/2021/04/2021_EUPP-AECS-Survey.pdf) on EU-Africa relations among more than 360 **representatives of African and European CSOs** (September-October 2020) showed that African CSOs see EU-Africa relations as very important, but consider implementation processes too far removed from everyday life and citizens' opportunities to contribute too limited. The CSOs criticised the lack of transparency in the development and updating of the partnership frameworks (the survey related to the Africa-EU Partnership; Post-Cotonou is not really mentioned, suggesting an even lesser degree of involvement of CSOs). The results of the survey show that "there is a strong desire for greater involvement so that civil society expertise can influence the content and priorities of the Africa-EU Partnership and other forms of cooperation."

At European level, several confederations expressed their positions. CONCORD, **the European NGO Confederation for Relief and Development**, [stressed](https://concordeurope.org/wp-content/uploads/2018/02/CONCORD_Recommendations_EU-ACP_Agreement_February2018.pdf?7c2b17&7c2b17) the need to include clear references to other international agreements and the SDGs in the post-Cotonou Agreement. CONCORD also wanted the key elements on human rights, conflict prevention and climate change to be explicitly formulated and accountability mechanisms clearly defined, including those applying to the economic partnership agreements. The confederation also called for [clear and binding provisions](https://concordeurope.org/resource/recommendations-for-a-more-effective-and-meaningful-participation-of-civil-society-in-the-future-euacp-relations/) on the involvement of civil society, as the basic positions of the Cotonou Agreement on this issue were not conclusive, according to the confederation. As regards the regional protocols, CONCORD expressed concern about the overly prescriptive positions of the European Commission on their content. In [response](https://concordeurope.org/resource/reaction-to-the-eu-oacp-agreement) to the negotiated agreement, CONCORD welcomed the focus on gender equality, human development and environmental sustainability, and recommended that these objectives be supported by "[operational structures and mechanisms for civil society participation](https://beta.concordeurope.org/wp-content/uploads/sites/3/2020/06/CONCORD_Briefing_CivilSociety_PostCotonou_2019.pdf)". However, the confederation regrets that EU interests are predominant in terms of economic and migration provisions. The **European Trade Union Confederation** (ETUC) and the **International Trade Union Confederation** (ITUC) issued a [common position](https://www.etuc.org/fr/node/17111) before the opening of negotiations. They argued that the new partnership must promote decent work, freedom of association and the reduction of pay gaps. The confederations called for the renegotiation of the economic partnership agreements, including the introduction of binding labour law provisions based on the ratification and effective implementation of the International Labour Organisation Conventions. BusinessEurope, the main employers' grouping of **European private companies,** [considered](https://www.businesseurope.eu/sites/buseur/files/media/position_papers/rex/2018-05-08_post-cotonou_framework.pdf) that the Cotonou Agreement had been unable to ensure the economic development of the ACP States and to strengthen the presence of European companies in these markets. The association wished to see more involvement of the private sector in the partnership and greater use of EU funds for direct support to the private sector, rather than for budget support.

# Role of organised civil society in the implementation of the future agreement

## The agreement places great emphasis on the role of civil society

The [**negotiated agreement**](https://ec.europa.eu/international-partnerships/system/files/negotiated-agreement-text-initialled-by-eu-oacps-chief-negotiators-20210415_en.pdf) **contains numerous references to the important role given to civil society** and private sector representatives (see Annex 2: Main references to civil society in the negotiated agreement). However, this role is not clearly defined at institutional level.

The institutional framework provided for in Article 86 et seq. will consist of the OACPS-EU Council of Ministers, the OACPS-EU Ambassadorial Level Senior Officials Committee (ALSOC) and the OACPS-EU Joint Parliamentary Assembly, as well as a council of ministers, a joint committee and a parliamentary assembly for each of the three regional protocols. There is therefore **no body of the economic and social committee type** for the OACPS-EU core agreement or for the regional protocols (as there was not under the Cotonou Agreement).

However, the involvement of organised civil society in the implementation of the post-Cotonou agreement is explicitly provided for: Article 95 sets out as follows:

**Article 95. Engagement with stakeholders**

1. The Parties agree that engagement with stakeholders, notably local authorities, civil society, and private sector representatives, is integral to well-informed decision-making and to furthering the objectives of this Partnership.

2. 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 [of the core document and of the regional partnerships].

However, to make this participation more effective, many countries need to overcome the inertia of the central government and better train civil society organisations in negotiating on technical issues. Moreover, the negotiated agreement does not specify how such participation will be organised.

## Consultation mechanisms are not specified in the agreement

According to the European Commission, the agreement provides for "an [active role](https://www.devex.com/news/civil-societys-role-in-the-post-cotonou-agreement-100339) for civil society" (Sandra Bartelt, cabinet of Jutta Urpilainen, the Commissioner for International Partnerships), but does not specify the outline of this role, as the negotiated agreement leaves it to the OACPS-EU institutions to set out the operational framework for CSO participation:

3. In order to promote such engagement, open and transparent mechanisms for structured consultation with stakeholders shall be set up as appropriate.

4. The results of the consultations with stakeholders shall be communicated to the relevant Council of Ministers, Joint Committee or Parliamentary Assembly, as appropriate.

As the parties to the post-Cotonou agreement have not yet completed all the necessary procedures for the implementation of the agreement, **the future institutions are not in place and have not yet defined "open and transparent mechanisms for structured consultation with stakeholders".** The rules of procedure of the various institutions must be adopted no later than six months after the entry into force of the agreement (Articles 88, 89, 90, 92, 93 and 94).

## Forums for organised civil society

It is unclear for the moment how the future OACPS-EU institutions will be organised and what place they will leave for consultation with organised civil society.

A priori, the most appropriate fora for transmitting civil society's requests and concerns will be the **OACPS-EU Joint Parliamentary Assembly and the parliamentary assemblies of the regional protocols.** The current Joint Parliamentary Assembly (JPA) is already the ACP-EU institution with the closest involvement of CSOs in its work, as observers in plenary and parliamentary committee meetings, through their input as experts. Some CSOs also organise events alongside plenary sessions (youth or women's forums, etc.).

The [participation of organised civil society in the future partnership](https://multimedia.europarl.europa.eu/fr/event_20210624-1930-SPECIAL-DELEGATIONS_vd?start=20210624190929&end=20210624202419) was also on the agenda of the **meeting of the current JPA on 24 June 2021.** For JPA Co-President [Carlos Zorrinho](https://www.europarl.europa.eu/meps/en/124739/CARLOS_ZORRINHO/home) (S&D, Portugal), the strengthening of the parliamentary dimension in the post-Cotonou framework should represent civil society and the economic and social partners as effectively as possible. During this session, the president of the EESC's ACP-EU Follow-Up Committee, Carlos Trindade, stressed the role of civil society, which should be better guaranteed in the agreement, allowing for more effective involvement of citizens in decision-making. This requires better information and more consultation and would allow more effective consideration of the UN Sustainable Development Goals (SDGs) and the ILO conventions, and more inclusion of young people, women and minorities. The representative of CONCORD, Karine Sohet, welcomed the fact that the agreement recognised the crucial role of civil society, but reiterated the call for the establishment of operational structures and mechanisms for the effective participation of civil society. This would empower more CSOs to participate, in particular with regard to materials and training. A formalisation of consultation processes, particularly at the level of the regional protocols, would improve the quality of participation and listening, according to CONCORD. CONCORD would also like independent consultation bodies to be set up in each of the four regions (Africa, Caribbean, Pacific, EU) and all institutions of the future partnership to consult and report regularly to CSOs, including through the establishment of an online platform. Joyce Naar of the ACP Civil Society Forum (CSF) expressed concerns about the organisation and financing of the various institutions of the partnership. However, she stressed the need to listen to the voices of civil society in order to benefit from their experiences.

EU civil society organisations involved in relations with ACP countries and ACP civil society organisations will also continue to make their voice heard in the EU bodies, in particular the European Parliament – notably through its Committee on Development (DEVE) and the Delegation to the ACP-EU Joint Parliamentary Assembly ([DACP](https://www.europarl.europa.eu/delegations/en/dacp/home)) – and the Economic and Social Committee, through its [ACP-EU Follow-Up Committee](https://www.eesc.europa.eu/fr/sections-other-bodies/other/le-comite-de-suivi-acp-ue), which brings together representatives of ACP CSOs and has the task of supporting the work of CSOs taking place in parallel to the various meetings of the ACP-EU institutions.

[CONCORD](https://concordeurope.org/2021/07/02/insiders-guide-to-the-post-cotonou-agreement/) also notes the following, among the means of monitoring and influencing the implementation of the agreement:

* [EU Delegations](https://concordeurope.org/2019/06/27/eu-delegations-unwrapped-a-practical-guide-for-civil-society-organisations/) in ACP countries for bilateral cooperation, programming and implementation of EU-funded programmes, political and strategic dialogue, the post-Cotonou agreement;
* the [programming and implementation](https://concordeurope.org/resource/note-to-civil-society-on-eu-programming/https:/concordeurope.org/resource/note-to-civil-society-on-eu-programming/) of the Global Europe instrument, the priorities of which are currently being defined;
* engagement at the level of regional structures (A, C, P) and, for [CSOs in Africa](https://concordeurope.org/resource/briefing-on-mechanisms-for-civil-society-in-eu-africa-pillar-of-the-post-cotonou-agreement/https:/concordeurope.org/resource/briefing-on-mechanisms-for-civil-society-in-eu-africa-pillar-of-the-post-cotonou-agreement/), the structures of the EU-Africa partnership.

# Annex 1: Priorities of the future agreement

## Sustainable development goals and multilateralism

The future agreement explicitly affirms the willingness of the signatories to achieve the UN Sustainable Development Goals (SDGs). The aim is to maintain the characteristics of the Cotonou Agreement which already reflected the spirit of the SDGs, for example the focus on human development and the fight against climate change, and to strengthen cooperation in international fora. This commitment of both sides to multilateralism is in line with [SDG 17](https://www.un.org/sustainabledevelopment/fr/globalpartnerships/), which calls for strong international cooperation based on shared principles and values to achieve the SDGs. The Parties have committed to accede to, ratify and implement "relevant international treaties and conventions", and incorporate these into domestic legislation (Article 78 of the negotiated agreement). Some relevant international treaties are listed throughout the negotiated agreement. SDG 17 also calls for **greater involvement of civil society** and local authorities in partnerships.

The future agreement will be based on six key priorities: human rights, democracy and governance; peace and security; human and social development; inclusive and sustainable economic growth and development; environmental sustainability and climate change; and migration and mobility. Sexual and reproductive health and rights, as well as migration, are apparently among the issues where agreement between negotiators has been most difficult.

## Human rights, democracy and governance

Respect for human rights, democratic principles and the rule of law constitutes an essential element of the agreement (Article 9(7)). The parties will make a commit to "promote, protect and fulfil all human rights, be they civil, political, economic, social or cultural", but some ACP states were reluctant to mention sexual orientation and gender identity (LGBTI rights) in the basic agreement, an issue on which there are also differences between EU Member States. As a compromise, the parties will commit to implementing existing international agreements, including the Programme of Action of the [International Conference on Population and Development](https://www.unfpa.org/fr/publications/programme-daction-de-la-conférence-internationale-sur-la-population-et-le-développement) on sexual and reproductive health and rights, the [Beijing Platform](https://www.un.org/womenwatch/daw/beijing/) on gender equality and their follow-up (Article 36 of the negotiated agreement). However, the wording does not match the ambitions of the EU negotiators.

The new agreement will detail the mechanism for remedying non-compliance with these principles (Article 101). This mechanism favours partnership dialogues and consultations within the OACPS-EU Council of Ministers, possibly with an opinion issued by a special joint committee composed of an equal number of representatives of the EU and the OACPS, before one of the parties takes measures proportionate to the non-compliance.

The abolition of the death penalty is a precondition for EU membership. However, the death penalty is still in force in all English-speaking countries in the Caribbean and in about half of African countries, and some of these have carried out executions in recent years. The signatories do not commit to abolishing the death penalty, but call on those countries where it is still applied to "adhere to due process and internationally agreed minimum standards" (Article 9 of the negotiated agreement). However, this can be seen as a positive step, as the death penalty is not mentioned in the Cotonou Agreement.

At the time of signature of the Cotonou Agreement, the EU and ACP countries made a commitment to "fight international crime in accordance with international law, giving due regard to the Rome Statute [of the International Criminal Court (ICC)]". Since then, African states have [questioned the impartiality of the Court](https://www.ispionline.it/it/pubblicazione/reforms-or-withdrawal-evolving-mosaic-africas-icc-strategies-16455), Burundi has withdrawn and other states have threatened to do the same; however, the situation eventually eased after several states opposed an AU resolution in favour of a collective withdrawal. This allowed the negotiators to draft a provision (Article 19) whereby the parties are "encouraged to ratify and implement the Rome Statute of the International Criminal Court and related instruments". Cooperation with the ICC will be "consistent with the principle of complementarity" with regional criminal courts, such as the African Criminal Court, if it becomes operational. However, the EU and some authors consider that [complementarity](https://eeas.europa.eu/archives/delegations/african_union/documents/press_corner/eu-statement-judicial-dialogue-06-11-2015_en.pdf) between the ICC and the African Criminal Court needs to be developed further.

## Peace and security

The provisions reflect other frameworks and agreements, mainly with Africa, where the EU is a major actor in the field of security. In this area, expenditure with military and defence implications can now be financed for the three ACP sub-regions, thanks to the succession of the African Peace Facility by the European Peace Facility.

## Human and social development

The provisions on education, health, sanitation, food security and social cohesion (Title III of the negotiated agreement) include the mutual commitments for development cooperation between the EU and ACP countries. The coronavirus pandemic makes the need for concrete results more pressing, notably in the area of universal health coverage. Article 39 on cultural heritage refers to "measures to prevent and combat the illicit import, export and transfer of ownership of cultural property", but does not explicitly provide for the return of works of art taken during the colonial period, as requested by some African countries.

## Inclusive and sustainable economic growth and development

Under this heading, the negotiators paid particular attention to the wording of the sections on trade. In the Cotonou Agreement, the provisions on WTO-compatible arrangements favoured the conclusion of economic partnership agreements (EPAs, see box below). The EPAs are mentioned in the Cotonou Agreement but are distinct from it, and will remain so in the future agreement. Some ACP states, mainly African, have expressed serious reservations about the EPAs, fearing that they may hamper their industrial development, and have been reluctant to have these agreements mentioned in the post-Cotonou agreement. Finally, the negotiated agreement (Article 50) recognises the "importance of concluding trade arrangements", i.e. not necessarily EPAs. As for the existing EPAs, their signatories will reaffirm their commitment to fully implement them and to promote the accession of new members.

Currently, the EPAs contain provisions that place them under the Cotonou Agreement: the violation of one of the "essential elements" of the Cotonou Agreement, namely human rights, democratic principles and the rule of law, may lead to the suspension of EPA trade preferences for the country concerned. However, the validity of such clauses and the redress mechanism after the expiry of the Cotonou Agreement have given rise to legal discussions. In order to secure interpretation, Article 50(6) of the negotiated agreement provides that "The Parties to the respective Economic Partnership Agreements agree that the references contained therein to the provisions on appropriate measures in the Cotonou Agreement are understood as references to the corresponding provision in this Agreement".

## Environmental sustainability and climate change

In the negotiated agreement, the provisions on environmental sustainability and climate change are included in eight articles of the core document, much more detailed than in the Cotonou Agreement, where they are mainly found in Article 32 on the environment and natural resources and Article 32a on climate change (added in the revised 2010 version). In addition, the environment, sustainable management of natural resources and climate change are key areas for cooperation in the three regional protocols, which detail specific challenges, such as the preservation of marine biodiversity in the Pacific.

## Migration and mobility

Article 13 of the Cotonou Agreement provides for dialogue and cooperation on legal and illegal migration, including return and readmission, but does not clearly provide for enforcement or sanctions. Title VI of the future OACPS-EU agreement will go well beyond Cotonou. This title provides for "a comprehensive, coherent, pragmatic and balanced approach, in full respect of international law, including international human rights law and, when applicable, international refugee law and international humanitarian law", but does not explicitly mention the UN Global Compacts on migration and refugees.

The parties undertake to treat legal migrants fairly and not to discriminate against them, and to "pursue efforts to adopt effective integration policies" (Article 64). The negotiated agreement mentions cooperation to reduce transaction costs of remittances, the need to facilitate circular migration and the "relevance" of south-south migration, but is not very detailed in this respect. Title VI of the Africa Protocol includes further commitments to facilitate legal migration and mobility, to encourage investments and remittances from diasporas, and to support intra-African cooperation on migration. Legal migration provisions would be challenged by some EU Member States.

As regards irregular migration, the OACPS negotiating mandate provided that returns should be carried out on a voluntary basis. On the other hand, the EU wanted to introduce a more binding legal obligation for the readmission of irregular migrants. The EU has been successful in this regard, as the negotiated agreement, in line with the new EU Migration Pact and the new EU Strategy on voluntary return and reintegration, recalls the right of any EU or OACPS country to return an illegally staying third-country national to their country of origin, and the obligation for any EU or OACPS country to accept the return and readmission of its nationals. However, the negotiated agreement does not deal with the return of irregular migrants to a country of which they are not nationals, even when they have left that country (transit country). This point will therefore have to be addressed by specific readmission agreements. Annex 1 on return and readmission processes specifically details how to verify the nationality of irregular migrants; it also limits the possibilities for the return of unaccompanied minors, with due regard for the best interests of the child. The negotiated text provides for a notification procedure before "proportionate measures" are taken in case of non-compliance with the provisions on return and readmission. The parties will also undertake to strengthen cooperation in border management and the fight against migrant smuggling. Title VI of the Africa Protocol includes the commitments of the general part of the agreement.

## Financing

The financing of the future partnership was not formally part of the negotiating framework. The OACPS-EU agreement will not contain a financial protocol, unlike its predecessor, but instead a declaration by which "the EU undertakes to communicate, at the earliest opportunity", the amounts of aid; the EU also undertakes to contribute to the costs of implementing the agreement. So far, the European Development Fund (EDF) has financed most of the development cooperation under the ACP-EU partnership. In the multiannual financial framework for 2021-2027, development aid for ACP countries and the partnership as a whole is no longer provided by the EDF, but by a new instrument, NDICI/Global Europe, under the general budget of the EU, with some off-budget expenditure remaining, such as the European Peace Facility. ACP countries will benefit from the three pillars of the new instrument (geographical, thematic, rapid response). A "buffer" laid down in NDICI/Global Europe will include, as far as possible, the flexibilities of the EDF, such as the possibility to carry over unspent amounts from one year to the next, instead of referring them back to the general budget. However, the OACPS expressed its concern that the "budgetisation" of the EDF is likely to dilute the funds previously allocated to the ACP – mainly for the Caribbean and Pacific countries, as they are subsumed in the geographical components "Americas and Caribbean" and "Asia and Pacific" respectively. African countries also benefit from the EU Emergency Trust Fund for Africa, established in 2015 to respond to the migration crisis. In the future, other sources, such as "innovative financing" (including, for example, blending, microfinance and public-private partnerships), are expected to contribute more widely to financing. In addition, the OACPS wishes to establish its own source of funding.

# Annex 2: Main references to civil society in the negotiated agreement

Source: [Negotiated Agreement text initialled by the EU and OEACP chief negotiators on 15th April 2021](https://ec.europa.eu/international-partnerships/system/files/negotiated-agreement-text-initialled-by-eu-oacps-chief-negotiators-20210415_en.pdf)

## Core text

Article 2: 8. The Parties shall promote a multi-stakeholder approach, enabling the active engagement of a wide variety of actors in partnership dialogue and cooperation processes, including parliaments, local authorities, civil society and the private sector.

Article 3: 4. The Parties agree that parliaments, and, where appropriate, representatives of civil society organisations and the private sector, shall be duly informed, consulted and enabled to feed into the partnership dialogue. Regional and continental organisations shall be associated with the dialogue, as appropriate.

Article 5: 3. The Parties acknowledge the important role and contribution of stakeholders, in all forms and national characteristics, namely civil society, economic and social partners, including trade union organisations, and the private sector, and agree to promote and strengthen their effective participation with a view to fostering more inclusive and multi-stakeholder policy processes. For these purposes, the Parties shall ensure that all these stakeholders, where appropriate, are informed and consulted on strategies and sectoral policies, provide input into the broad process of dialogue, receive capacity building in critical areas and participate in the implementation of cooperation programmes in the areas that concern them. Such participation in cooperation programmes shall be based on the extent to which they address the needs of the population and on their specific competencies, and have accountable and transparent governance structures.

Article 11: 4. The Parties shall preserve and broaden an enabling space for an active, organised, transparent, civil society, acknowledging its role in promoting and monitoring democracy, human rights, fundamental freedoms, social justice and inclusion, and as defender of rights holders and of the rule of law, thus strengthening domestic transparency and accountability.

Article 17: 3. The Parties recognise the importance of mutually respectful dialogue and consultation as a means of conflict resolution, involving local authorities and communities, as well as civil society organisations. In that context, they shall act in close cooperation with continental and regional organisations.

Article 24: 2. The Parties agree that drug policies and actions, including through the involvement of civil society, the scientific community and academia, shall be aimed at reinforcing structures for preventing and effectively addressing illicit drugs, reducing measurably the supply of, trafficking in, and demand for illicit drugs.

Article 50: 10. The Parties recognise the importance of enhancing dialogue to address trade and trade related issues of common interest. They agree to promote the involvement of civil society and the private sector in these dialogues.

Article 54: 2. The Parties (...) shall endeavour to build effective alliances in international settings on relevant issues with a view to driving global action forward, and ensuring constructive engagement with local authorities, civil society and the private sector.

Article 63: 5. The Parties shall promote cooperation between relevant agencies and institutions, local authorities, civil society and social partners, with a view to encouraging joint research projects, identification of skills gaps as well as investment and job opportunities and the evaluation of labour migration policies and strategies.

Article 64: 1. 1. The Parties shall pursue efforts to adopt effective integration policies for those who reside legally in their territories (...). In that respect, the Parties shall support the development and implementation of strategies to integrate legally residing third-country nationals into labour markets and host societies, supporting and strengthening cooperation and coordination of various actors working on integration at national, regional and local levels, including local government and civil society.

Article 78: 4. The Parties shall deepen their multi-stakeholder approach to multilateralism by more effectively engaging civil society, the private sector and social partners in developing responses to global challenges.

Article 82: 9. The Parties agree that programming shall be based on an early, continuous and inclusive dialogue (...) including national and local authorities, regional, continental and international organisations and involving parliaments, civil society, the private sector and other stakeholders, in order to enhance democratic ownership of the process and to encourage support for national and regional strategies.

Article 95 **Engagement with stakeholders** 1. The Parties agree that engagement with stakeholders, notably local authorities, civil society, and private sector representatives, is integral to well-informed decision-making and to furthering the objectives of this Partnership. 2. 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. 3. In order to promote such engagement, open and transparent mechanisms for structured consultation with stakeholders shall be set up as appropriate. 4. The results of the consultations with stakeholders shall be communicated to the relevant Council of Ministers, Joint Committee or Parliamentary Assembly, as appropriate.

## Africa Protocol

Article 5 **Consultation with stakeholders**: The Parties shall set up mechanisms for open and transparent consultation with all relevant stakeholders, including local authorities, representatives of civil society and the private sector, in order to keep them informed and gather their input for the political processes and implementation of this Protocol, in accordance with Article 5(3) of the General Part of this Agreement.

Article 35: 6. The Parties shall promote and facilitate dialogue between employers’ and workers’ organisations in the formal and informal economy, and civil society organisations, including through capacity building.

Article 38: 3. The Parties shall endeavour to promote the mobility of culture professionals and the circulation of works of art, and to carry out joint initiatives in various cultural and creative sectors. They shall encourage intercultural exchanges and dialogue among youth organisations and civil society from Africa and the EU.

Article 43: The Parties shall take ambitious action to mitigate and adapt to climate change, protect and improve the quality of the environment, and manage natural resources sustainably, with a view to stopping and reversing climate change and environmental degradation, and attaining sustainable development. (...) They shall promote the constructive engagement of local authorities, civil society and the private sector, and respect for the rights of all, including indigenous peoples as set out in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and local communities.

Article 50: 3. The Parties shall support sustainable water management and good water governance at all levels. They shall strengthen dialogue and encourage partnerships between public authorities, the private sector and civil society.

Article 51: 9. The Parties (...) shall promote synergies between public administration, civil society organisations and private businesses and foster participation of the private sector towards a low greenhouse gas emission and climate-resilient economy, including through joint research. They shall promote existing initiatives such as the Global Covenant of Mayors for Climate and Energy and shall support the implementation of their action plans.

Article 55: 3. The Parties shall promote local ownership, inclusiveness, resilience and sustainability of all actions, engaging with national and local authorities, communities and civil society.

Article 57: 2. The Parties shall enhance cooperation to enable individuals and communities to prevent and increase resilience against acts of terrorism, violent extremism and radicalisation. They shall endeavour to engage with all relevant stakeholders, including youth, religious leaders and civil society, to promote mutual understanding, diversity and inter-faith dialogue, to identify tailor-made interventions, and to counter online and offline recruitment, radicalisation and incitement to commit terrorist acts. They shall cooperate on enhanced support for the victims of terrorism.

Article 61: The Parties shall intensify and accelerate efforts on the demand side, engage in prevention and education programmes, and take the necessary measures to address the health and social impacts of drugs. They shall foster dialogue with relevant stakeholders, including civil society, the scientific community and academia, in order to effectively address illicit drug use.

Article 64 The Parties shall promote resilient sustainable and inclusive societies rooted in accountable, effective and transparent institutions and decision-making processes at all levels, where human rights, fundamental freedoms, the rule of law and democratic principles are respected, promoted and fulfilled. They shall work to accelerate progress towards gender equality. They shall ensure an open and enabling space for individuals and civil society to voice their aspirations and concerns, express their opinions or make contributions to all political, economic, social and cultural matters, contributing to increasing confidence in public institutions.

Article 65: 5. The Parties shall strengthen the capacity of civil society and protect human rights defenders acting at national, regional and continental level. They shall cooperate to raise awareness on human rights, including through cooperation with national human rights institutions, education systems and the media.

Article 67: 5. The Parties shall promote inclusive and pluralistic societies. They shall remove any restrictions to freedom of association, freedom of expression and freedom of peaceful assembly. They shall preserve and broaden an enabling space for civil society in advocacy and policy shaping, as well as ensuring free and independent media, to hold governments to the highest levels of transparency and accountability in the management of public affairs. The Parties shall foster constructive state-citizen relations and shall raise awareness of democratic principles and human rights, including through education systems and the media.

## Caribbean Protocol

Article 7 **Consultation with stakeholders**: The Parties shall establish and develop consultation and dialogue mechanisms with all relevant stakeholders, including local authorities, representatives of civil society and the private sector, to inform, advise and consult them, and to secure their input to political processes and for the implementation of this Protocol. Consultation and dialogue shall take place with a view to providing inputs to the meetings of the Caribbean-EU Council of Ministers.

Article 22: 3. The Parties shall support intercultural dialogue between youth, civil society organisations and individuals from the EU and the Caribbean region.

Article 30: 5. The Parties shall strengthen inclusive risk governance at all levels. (...) They shall promote the involvement of affected communities, civil society and local authorities in devising and implementing policy responses, focusing on the most vulnerable and marginalised households and groups.

Article 34: 3. The Parties shall promote respect for freedom of expression and media independence and pluralism, and preserve and broaden an enabling space for civil society, with a view to improving democratic accountability.

## Pacific Protocol

Article 7 **Mechanisms for consultation and engagement with stakeholders**: The Parties shall foresee consultation and dialogue mechanisms with all relevant stakeholders, including local authorities, representatives of civil society, and the private sector, in order to keep them informed of, and gather inputs for, the effective implementation of this Protocol, including in view of the Pacific-EU Council of Ministers.

Article 38: 5. The Parties shall cooperate towards the realisation of human rights in the Pacific region, including through the establishment and strengthening of independent national and regional human rights mechanisms and institutions, and through the strengthening of an enabling and safe environment for the active engagement of civil society, human rights defenders, and other relevant stakeholders, including through their capacity building and access to regional and international human rights mechanisms.

Article 39: 2. The Parties shall enhance the role of parliaments, promote media independence and pluralism, and preserve and broaden an enabling space for civil society, with a view to improving democratic accountability. They shall strengthen national, regional and decentralised capacities to ensure respect for democratic principles and practices.

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