

Finding your way through the Cotonou Agreement

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Foreword

The Cotonou Agreement, the agreed co-operation between African, Caribbean and Pacific (ACP) states and the European Union (EU) is one of the very important themes in the near future and that will shape the economic relationship of developing countries and the European counterparts.

The process of the Cotonou Agreement will as well influence the development direction of Tanzania within the region.

The Cotonou Agreement recognizes the complimentary role of the public through the Civil Society Organizations, the private sector, the trade unions etc. in the development process, and that they are able to be involved more systematically in the dialogue, decision-making, evaluation and monitoring. This challenge requires the public to be informed.

Friedrich Ebert Stiftung in Tanzania has the objective of providing its partners and the public with readable and relevant information about the Cotonou Agreement and its processes. This will contribute to raise awareness and encourage broader participation of the public in the implementation and negotiation processes of the Cotonou Agreement with the country and in the region.

This booklet is one of a series of three booklets which are published by FES to provide basic and necessary information to the general public on the Cotonou Agreement specifically on the basics and the three pillars under which the Agreement is built. This particular booklet, *“finding your way through the Cotonou Agreement”* serves as an introductory part. It explains the basics of the Cotonou Agreement and important definitions which will make it easier for the readers to follow up without any problem the second booklet on the Economic Partnership Agreement and the third one of the Development Cooperation.

I would like to sincerely thank the author of this booklet for the competence she has shown to produce such a user-friendly booklet.

I am sure you will find this booklet helpful and you will use it as a knowledge source when encountered with difficult issues on the Cotonou Agreement.

Reinhold Einloft
Resident Director

Introduction: Why the brochure was written and how to read it

Participation of civil society in political decision-making processes plays an increasingly important role in the poverty reduction strategies of many African countries. In line with this development also the cooperation with international donors, such as the European Union, underwent a change. Under the Cotonou Agreement the exclusive government partnership has been extended to new actors, the non-state actors (NSAs), representing the private sector, trade unions and civil society. They are expected, as soon as possible, to give their inputs in all kinds of processes related to the ACP-EU cooperation. An effective participation will require capacity building of the NSAs in many respects. But before specific capacity building measures can be considered, it is necessary to create awareness and understanding of this particular cooperation and the provisions determining it.

The Cotonou Agreement is a binding treaty and therefore abstract in its form and difficult to associate with any practical work. To enable the new actors to fully exhaust the scope of action provided for them, the convention has to be presented in a more simple way. Against this background the idea arose to compile a series of easy-to-read and short handbooks that are particularly tailored to the needs of NSAs in Tanzania. Starting with a general introduction to the Cotonou Agreement, all following brochures will focus on single issues, such as the trade cooperation, the development cooperation and the political dialogue and their implementation in Tanzania. It will be the objective of the latter brochures to describe the practice of the cooperation in the three areas at national level, to create awareness for the problems arising for Tanzania from envisaged changes in the trade cooperation and to explain how NSAs can get involved, can prepare for participation and seek for funding to improve their capacities.

All handbooks are conceived to be a combination of **text** and **glossary** and will be written in a participatory manner. A first draft of the handbooks will be submitted to some selected NSAs and the office of the National Authorizing Officer for comments and inputs concerning contents and explanations, text layout and text volume.

As indicated above the **first brochure** gives a general overview of the ACP-EU cooperation under the Cotonou Agreement. The **text** explains in simple words the structure of the cooperation in the areas of development, trade and politics. It describes the most important institutions steering the ACP-EU cooperation and the new role to be played by the non-state actors according to the general provisions of the Agreement. It is the objective of the first brochure to sensitize the NSAs for the general principles underpinning the partnership and to enable

the NSAs to read the treaty. An understanding of the Agreement is a prerequisite for participation in the various areas. Thus, the first brochure deliberately abstains from interpretations of the provisions and practical examples referring to the case of Tanzania. This will be done in detail in the following handbooks.

The **glossary** introduces to various key words of the Cotonou Agreement. Even though the words of the glossary and part of the main text (written in italics), it can be read independent from the text and be used as a kind of Cotonou dictionary. The Annexes present various chapter of the text in a summarized and more illustrative form.

The *European Union* (EU), formed by its member states and the European Commission in Brussels (Annex I), is a major trading partner for many countries in the developing world and one of the largest donors of development aid. The EU holds a large number of cooperation agreements with countries in sub-Saharan Africa, the Caribbean, the Pacific (ACP), the Mediterranean and the Middle East (MED), Asia and Latin America (ALA), but also with countries in Central and Eastern Europe and the New Independent States (NIS) of the former Soviet Union. Amongst those, the cooperation agreements with the *ACP group* of states has the most longstanding tradition. (For the members of the ACP group see Annex II)

1. Brief historical overview of the EU-ACP partnership

The origin of the ACP-EU partnership dates back to the colonial times. In 1957 France made the association of its African colonies with the European Economic Community (EEC) a condition of signing the *Treaty of Rome* and becoming a Community member. The EEC was requested to take on the established system of reciprocal trade preferences with the French speaking African colonies and to support their development efforts. The EEC member states agreed on pooling resources to back up the EEC's new external aid commitments and established the European Development Fund (EDF). In 1963, the relationship with the French colonies, called the Associated African States and Madagascar (AASM), was reformulated recognizing the independence the countries had achieved. Yaoundé I (1963-69) and Yaoundé II (1969-75) were the new accords confirming the continuity of the European-African relationship. Their focus was on economic cooperation and the EDF's financial support was earmarked for the development and maintenance of the economic infrastructure of the contract partners.

Membership of the United Kingdom to the EEC in 1973 led to the signing of a new generation of conventions, the Lomé agreements. Lomé was remodeled according to the needs of the newly integrated commonwealth countries. Together with the West African countries they formed the ACP group, which comprised 46 member states at that time. The cooperation under Lomé lasted 25 years. It was revised every five years and adapted to the changes of the

international environment (Lomé I 1975-80, Lomé II 1980-85; Lomé III 1985-90 and Lomé IV 1990-2000).

The Lomé agreements added various innovative elements to the cooperation. One of the most outstanding achievements was the creation of a set of shared cooperation principles such as the equality of the partners, dialogue, contractually agreed rights and obligations, the predictability of aid flows and the joint administration of the cooperation, which until today shape the profile of the ACP-EU partnership.

Regarding the trade relations, Lomé replaced the system of reciprocal trade preferences by a system of non-reciprocal trade preferences. The latter granted unlimited entry to the EC market for 99% of industrial and other goods originating in the ACP countries. Pressed by the United Kingdom the cooperation partners furthermore added separate trading protocols for sugar, bananas, veal and beef to the agreement fixing an annual import quantity and price. Declining world market prices for agricultural products and raw materials led to the introduction of two new EDF instruments STABEX and SYSMIN. STABEX offered funds to offset losses on export receipts for coffee, tea, cocoa, groundnuts etc., whereas SYSMIN provided loans to compensate losses in the mineral sector.

The focus of the development cooperation under Lomé shifted from industrial infrastructure followed by rural development and food security to structural adjustment programmes (SAPs). The promotion of regional cooperation played an important role in all four conventions. Since the 1990s human rights and democracy have gained importance in the cooperation with the ACP countries. In 1995 both aspects were incorporated in an “essential elements” clause. The clause is backed by a suspension mechanism, meaning that a violation of these elements could lead to a partial or total suspension of EU aid.

The expiry of the Lomé IV convention preceded a broad public debate about the future of the ACP-EU partnership. Criticism was raised concerning the disappointing results of the Lomé cooperation, which were seen from trends, such as:

- the decline of the EDF's share of EU overall aid commitments from 50% in 1990 to 33%, in view of an increasing number of ACP members;
- the decline of the ACP share in EU's market from 6.7% in 1976 to 3% in 1998 (60% of the total ACP export concentrate on only 10 products);
- the difficulty of the ACP least developed countries (LDCs)¹ to benefit from the general rise of foreign direct investment flows to developing countries;
- the rise of poverty in many ACP countries.

¹ 39 countries of the ACP group are classified as LDCs.

These trends actually called the efficiency of the ACP-EU cooperation and its instruments in use into question, e.g. the non-reciprocal trade preferences. Even the dissolving of the heterogeneous ACP group was considered. At the same time it was emphasized that the cooperation needed to adapt to the new geostrategic situation and the processes of globalization.

2. The Cotonou Agreement: A house resting on three pillars

Despite all criticism the ACP-EU cooperation was continued but modified in many respects. In 2000 the new Cotonou Agreement was signed, which now constitutes the world's largest financial and political framework for North-South cooperation. The agreement marks a major break with the past. It enshrines a comprehensive approach to tackle the task of poverty reduction. All areas of the ACP-EU cooperation are interdependent and of equal importance. Therefore the Cotonou Agreement can be characterized as a house resting on three pillars: a strong political dimension, the development cooperation and the trade cooperation.

The Cotonou Agreement

Political Dimension	Development Cooperation	Trade Cooperation
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In the following, the general principles of the three pillars based on the legal provisions in the Cotonou Agreement will be described and an explanation of how they are to be understood given.

2.1 First Pillar: A strong political dimension

The political dimension is a recent phenomenon in the ACP-EU partnership and a clear sign of the adaptation of the ACP-EU partnership to the global political changes. The incorporation of the political dimension gives expression to the partners' preparedness to openly discuss reason and cause of poverty as much as the institutional and political prerequisites for sustainable development. In its new form, the political dimension is the first pillar of the "Cotonou House". It sets out the framework of the political relations between the parties, which are determined by

- political principles,
- political dialogue,
- support in certain political areas.

2.1.1 Political principles

The political principles underpin the ACP-EU partnership. At the same time, they give expression to the fact that the partners share the same values on which domestic and international policy decisions are based. The principles comprise **the human rights and fundamental freedoms, the universally recognized democratic principles and the rule of law**. These elements are understood as integral part of sustainable development and therefore are considered essential. In the Cotonou Agreement they are defined as **essential elements**. The partners have committed themselves to respect and strongly promote them through appropriate measures. The essential elements are complemented by another political principle, **good governance**. “The transparent and accountable management of human, natural, economic and financial resources”, constitutes a **fundamental element**.

How to protect the political principles?

Due to the definition of essential and fundamental elements, the Cotonou Agreement places more emphasis on the responsibility of each country to provide and promote a conducive environment for sustainable development. To control the attainment to this commitment especially the essential elements were linked with a suspension mechanism. Meaning that a severe violation of the principles could lead to a partial or even total suspension of aid. A violation of good governance cannot constitute a reason for suspension. This excludes severe cases of corruption, which under certain circumstances could trigger a similar suspension mechanism.

2.1.2 Political dialogue

The **political dialogue is at the centre of the political relations**. It is conceived as a strategic and continuous tool in the partnership.

The idea is not just to launch an ad hoc dialogue when major problems arise but also to establish a channel for communication open at all times.

What is discussed in the dialogue?

In the political dialogue a wide range of political issues can be discussed. It constitutes the first and most important instrument regarding the attainment of the **essential and fundamental elements**. On the one hand it serves to assess progress in the promotion of rule of law, democracy and good governance. On the other hand, it is used to address violations of the essential elements in order to prevent a situation, in which it might deem necessary to have recourse to the suspension clause. But also other political **issues of general significance for stability, security and peace**, such as arms trade, excessive military expenditures, organized crime or policies to prevent, manage and resolve conflicts are subject to the political dialogue. In addition, it is the objective of political dialogue to facilitate the agreement on **ACP-EU cooperation priorities**, discuss various aspects of **migration** as well as the **impacts of EU policy measures** on ACP interests.

Who are the partners in the dialogue?

The partners in the dialogue are the **central government** agencies. But there is a scope of actions for new actors provided. Art.8 defines that **civil society** shall be associated with dialogue, especially in peace-building processes.

How is the dialogue organized?

The Cotonou Agreement provides for more flexible forms of both formal and informal dialogue (inside and outside the institutional framework). Therefore, political dialogue is to be structured according to the needs and the issues under consideration, which means that the agreement opts for pragmatism and country specific approaches. Generally, the reinforced ACP-EU dialogue takes place at a number of different levels. Geographically, it can be conducted at the national, regional or pan-ACP level. Hierarchically, it can be conducted at the level of government officials, the Ministerial level or even at level of civil society.

(For an overview of the structure of political dialogue see Annex III)

2.1.2 Activities

The political cooperation focuses on a few areas only. Embedded in national development strategies and within the framework of EU development cooperation with an individual ACP country, the main activities are related to the promotion of the essential and fundamental elements. They range from support for the institutional, political and legal reform processes to capacity building for public and private actors and the civil society. Other activities are implemented in the field of conflict prevention and resolution. In this area, support covers, for instance, mediation, reconciliation and negotiation efforts and the demobilization and reintegration of combatants.

2.2 Second Pillar: Nature of the ACP-EU development cooperation

The development cooperation is the second pillar of the Cotonou Agreement.

The **development cooperation** takes the form of financial and technical assistance and **is implemented at regional and national level**. Two field based organizations, the National authorizing Officer (NAO) on ACP side and the Delegation of the European Commission (EC Delegation) on EU side (see below), supervise the cooperation and ensure the correct execution of the joint programmes/projects in individual ACP countries.

Principles, approach and areas of support

The Cotonou Agreement merely **provides the general framework** of the development cooperation. It sets out the objectives, which in compliance with the agreements overall objective, focus on poverty reduction. It outlines the general principles of development cooperation, defines the approach to be pursued and lists the priority areas of support jointly agreed upon by the partners.

In detail, the Cotonou Agreement places emphasis on a development cooperation that, inter alia:

- is tailored to each ACP country's individual circumstances and needs;
- fosters participation of the private sector and civil society;
- gives support to the ACPs' own development strategies and promotes local ownership;
- is based on integrated strategies which interlink with economic, social, cultural, environmental and institutional policies to reflect the complex and multidimensional character of poverty.

The development cooperation covers a wide range of areas of which individual ACP countries will only select and compose those in a country strategy that best meet their needs. They range from **economic development** (e.g. the development of the private sector), **social and human development** (e.g. the improved access to productive resources and the fulfillment of basic needs) to **regional cooperation/integration** and gender, environment, HIV/AIDS as well as institutional development. The latter four issues shall be mainstreaming into all areas of cooperation as so called **thematic and cross-cutting issues**.

How is the development cooperation financed?

The resources for the implementation of development programmes and projects etc. are provided through the **European Development Fund** (EDF). For historical reasons, the fund, up today, is not part of the European Commission's general budget, but constitutes **a special funding mechanism for the ACP countries only**. Every five years, the EU member states negotiate a new EDF and the amount contributed to it by each EU member state. Since its establishment, in 1958, the fund has been "refilled" 9 times. Under the Cotonou Agreement it is referred to as the 9th EDF. (Annex IV)

How are the resources made available?

The EDF resources are made available through so called financial instruments, which under Cotonou were reduced in numbers to simplify related processes and their management. Ever since the EDF resources are provided either in form of **grants** or in form of **loans**, which are channeled through the *Grant Facility* or the *Investment Facility*.

- The Grant Facility provides non-repayable funds (grants) to the ACP countries to finance a wide range of long-term development operations, including the support for some (joint) institutions. The facility is managed by the European Commission.
- The Investment Facility provides loans to support private sector development activities. Its resources are partly drawn from the grant facility and partly made available from the *European*

Investment bank's (EIB) own resources. The Investment Facility is managed by the EIB.

A *financial protocol*, supplemented to the Cotonou Agreement as Annex I, outlines the overall amount available under the 9th EDF and specifies the exact allocation of this amount between the two instruments. In line with the negotiations of the next EDF, the protocol is revised every five years.

Once an overall EDF amount has been provided, a lump sum is allocated to each ACP country, based on a prior needs and performance assessment conducted by the EU.

How will the money be spent?

Annex IV of the Cotonou Agreement defines the "Implementation and Management Procedures" of the development cooperation. Accordingly, the **decision** on how the money will be spent **is made in** a process of joint consultations between the EU and an individual ACP Government or regional body, called ***the programming process***. During the programming process the parties determine:

- the *priority sectors* for support;
- the drawing up of the *Country Support Strategy* (CSS) and
- the designing of a *National Indicative Programme* (NIP), annexed to the CSS.

Both documents are of crucial importance for any actor with the interest to get involved in the cooperation. They include all information on the development cooperation with an individual ACP country, such as the programmes/projects run in the priority sectors, the money provided for each programme/project as well as the schedules for the disbursement of the money in the five year period and the schedule outlining the phases of the programme/project implementation.

How is the implementation of the CSS/NIP monitored?

Regular performance **reviews** serve as control mechanisms. In various reviews the effectiveness in implementation of current operations and the results achieved are measured against identified targets, sectoral policy commitments etc. They are jointly conducted by the EC Delegation and the NAO and offer the possibility to adjust cooperation programmes and the overall funds allocated in the light of what is actually achieved.

2.3 Third Pillar: Trade – Negotiations of Economic Partnership Agreements

Trade is the third and strongest pillar of the Cotonou Agreement, as it is conceived as the engine of sustainable development.

For more than 25 years the ACP-EU trade relations have been characterised by **non-reciprocal trade preferences**. The preferences grant duty free access to the EU market for nearly all products originating in the ACP countries, excluding the obligation to open the ACP markets to the EU in return.

Under the Cotonou Agreement trade relations will experience a fundamental change. The **non-reciprocal trade preferences will be replaced by a reciprocal trade regime**, negotiated as **Economic Partnership Agreements (EPAs)**. The Cotonou Agreement now defines the timeframe and organizational structure of the negotiation process, the areas of trade to be covered by the new agreements and the system regulating trade in the transitional period.

What are Economic Partnership Agreement?

EPAs aim to create reciprocity, through the establishment of free trade areas (FTA), which conform to the regulations of the World Trade Organization (WTO) and build on regional integration processes in the ACP countries.

This basically means two things. Firstly, **ACP markets have to open up to EU products**, as gradually all barriers to trade will be removed between the parties. Meaning that in future the ACP countries will have to face an increased competition on their local markets due to more price competitive exports e.g. of the European food and drink industry or the European cereal producers, who receive a direct income support from the EU to enhance their international competitiveness. Secondly, due to the *WTO compatibility*, the **ACP-EU trade system** will become more complex and complicated. It **will extend the economic cooperation**, in addition to the now existing trade in goods and agricultural products, **to trade in services and other trade related matters, such as product standards, intellectual property rights etc.** But WTO compatibility also implies a certain time factor. In WTO compatible free trade areas, the reduction and elimination of import duties will have to be completed within 10 to 12 years. Bearing in mind that the WTO rules were not designed for FTA arrangements between developing and developed economies, it is of prior interest to the ACP countries to achieve a modification of the rules to meet the ACP countries' needs.

EPAs, once they are concluded, **will be separate trading arrangements either with regional blocs**, as preferred by the EU, **or with individual countries**. As such agreements they will need a strong development orientation or dimension to still contribute to the attainment of the Cotonou Agreement's overarching purpose of poverty reduction. But how this is to be achieved remains an open question

and very much depends on the bargaining power of the ACP countries. According to the Cotonou Agreement EPAs first of all will be geared towards the following objectives:

- to promote the smooth and gradual integration of ACP economies into the world economy;
- to enhance production, supply and trading capacities;
- to create new trade dynamics and foster investment;
- to improve the capacity of the ACPs to handle trade-related issues.

Will EPAs be the only alternative?

For those countries, who do not feel to be in a position to negotiate an EPA, **the Cotonou Agreement envisages the consideration of other trade arrangements in 2004**. So far, only the least developed countries (LDCs) have been presented with an additional trade arrangement, which could serve as an alternative. In March 2001, the Everything-but-Arms (EBA) initiative has been launched, extending duty and quota free access to the EU market to all products originating in LDCs, except arms and ammunition. Ever since, LDCs are able to export a wider variety of sensitive agricultural products to the EU, including meat, cereals, dairy products, fruits and vegetables.

How will EPAs come about?

The exact structure of an EPA will be agreed upon in a negotiation process between the EU and those "ACP countries which consider themselves in a position to do so, at the level they consider appropriate and in accordance with the procedures agreed by the ACP Group²

During the negotiations, account will be taken of the level of development and the socio-economic impact of trade measures on the ACP countries. In addition, the negotiation period is conceived as a preparatory period in which the ACP countries will receive adequate capacity building support to prepare for the negotiations and the increase in competition challenging the ACP economies.

How does the negotiation structure and schedule look like?

The negotiations will cover a period of up to five years (2002-2007) and will be conducted in two phases:

- **Phase one** started in September 2002 at all ACP-EU level with a view to agree on the main principles and objectives of EPAs.

The ACP countries structured the negotiations around 6 negotiating groups (Market access, agriculture, services, development issues, trade related issues and legal issues). The EU in contrast only

² Cotonou Agreement, Part III Cooperation Strategies, Title II Economic and Trade Cooperation, Chapter 2 New Trading Arrangements, Art 37.5

negotiated around 4 groups, refusing to respond on ACP concerns in the areas of agriculture, development issues and reform of the WTO rules. In October 2003 a joint report, serving in phase two as a point of reference, was adopted and formally finalized the all ACP-EU negotiation round.

- **Phase two** envisages negotiations at regional level to develop detailed tariff reduction schedules and discuss a range of broader trade issues.

It was launched in October 2003 with the West and Central African countries. The East and Southern African Countries were not ready to open negotiations at regional level before 2004. The delay was caused because the countries could not decide, in which regional configuration they should negotiate an EPA with the EU to best promote their own interests. Most of the countries hold a membership in more than one regional organization. In addition, there is a concern, that EPAs might have negative impacts on the ongoing integration processes especially of the smaller and weaker groupings, such as the East African Community (EAC) or the Southern African Development Community (SADC). Even though the risks are more evident now (at least for the EAC), the countries have split in two different regional blocs: The Eastern and Southern Africa Group (ESA), comprising 16 countries,³ including Kenya and Uganda, which all form part of the Common Market of Eastern and Southern Africa (COMESA) and a group of 7 countries,⁴ including Tanzania, which have decided to approach the EPA negotiations under the SADC umbrella.

Now that the negotiations at regional level have been launched, those partners already engaged in negotiations will have to keep to schedule and agree on the respective EPAs until 31st of December 2007. At this time, according to the Cotonou Agreement, the system of non-reciprocal trade preferences will be replaced by the EPA, which shall enter into force by 1st of January 2008. Pursuant to this the removal of all barriers to trade between the partners will have to be completed by 2020.

(At table of the schedule is given in Annex V)

Who are the actors in the negotiations?

The joint negotiations will be carried out at two levels:

- at ministerial level and
- at ambassadorial/senior official level.

³ The countries are: Burundi, Comoros, DR Congo, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Uganda, Zambia, Zimbabwe

⁴ The Countries are: (SACU ex South Africa) Botswana, Lesotho, Swaziland, Namibia, plus Angola, Mozambique, Tanzania

The latter level will receive support from technical groups, which will hold preparatory talks to ensure the proper coordination of the ambassadorial/senior officials meetings.

In addition, each side organizes itself according to its internal structure.

This means for phase two:

- On EU side, the European Commission will negotiate on behalf of the EU represented by the Commissioner of trade at ministerial level and a senior official of the Directorate General for Trade (DG Trade) at ambassadorial level. The DG Trade furthermore closely cooperates with the DG Development and other services, e.g. Agriculture and Fisheries of the European Commission.
- On ACP side, the structure of the negotiating groups varies according to the number of blocs that have entered into negotiations with the EU.

The epawatch website gives a brief summary of the negotiating structure of all regional blocs (www.epawatch.net), which are outlined in papers called road maps, providing the guidelines for the parties in the negotiations.

3. Institutions of the ACP-EU cooperation

Now that the areas of the Cotonou Agreement are described, a closer look at the institutional set-up will be taken. **The institutions are of great relevance** and they fulfill a wide variety of tasks. They **steer the cooperation, implement the agreement's provisions and supervise the implementation processes**. They are the main actors to define guidelines, decide over the distribution of the funds available or pave the way for new partners, such as the non-state actors, to enter the cooperation. In this respect, they are an important addressee and it is part of their tasks to provide a helping hand when it comes to the promotion of the concept of participation.

The Cotonou Agreement lists three joint official bodies which formally steer the ACP-EU cooperation. In addition, Brussels-based institutions facilitate the implementation of the Cotonou Agreement on ACP side and manage and coordinate the communities' relations to the ACP countries on the European side. The field based institutions constitute a third group. They manage and control the implementation of the Agreement in each ACP country with a more limited decision-taking competence. The above mentioned institutions have the following profiles:

3.1 Three joint institutions

The ACP-EU Council of Ministers

The council is comprised of members of the EU Council of Ministers, representatives of the European Commission and a member of the Government of each ACP country. The council meets once a year or whenever necessary and takes decisions that are binding. It considers recommendations; resolutions adopted by the Joint Parliamentary Assembly and can delegate power to the committee of ambassadors. It is the task of the council to

- conduct political dialogue;
- adopt policy guidelines and take decisions to implement the Cotonou Agreement;
- ensure the functioning of the consultation mechanisms.

Regarding the latter task, the council shall conduct an ongoing dialogue with representatives of the social and economic partners or other actors of civil society in the ACP or EU.

The ACP-EU Committee of Ambassadors

The committee comprises the permanent representative of each EU member state to the EU, a representative of the European Commission and the head of mission of each ACP state to the EU in Brussels. It is the defined task of the Committee to:

- assist the council of ministers;
- carry out the tasks entrusted to it by the council;
- monitor the implementation of the Cotonou Agreement.

The committee of ambassadors meets regularly to prepare the council's sessions. Tanzania is represented in Brussels by Hon. Ambassador Simon Ufrosia R. Mlay.

The ACP-EU Joint Parliamentary Assembly (JPA)

The JPA is composed of an equal number of EU and ACP representatives. On EU side, members will come from the European Parliament. On ACP side, representatives will either be members of the Parliament or, be designated by the parliament of each ACP state. The JPA functions as a consultative body. It

- promotes democratic processes through dialogue;
- discusses issues pertaining to development and the partnership;
- adopts resolutions and makes recommendations to the council.

It meets twice a year in plenary sessions alternately in the EU or an ACP country. Meetings between EU and ACP parliamentary members can be arranged at

regional and sub-regional level. The assembly is in regular contact with the ACP-EU civil society. Tanzania is represented by in the JPA by Hon. Kilontsi Mporogomyi (Kasulu West)

(For an overview of the joint institutions see Annex VI)

3.2 Brussels-based institutions

The ACP Secretariat

The ACP Secretariat is responsible for the administrative management of the ACP group. It assists the group's decision-making and advisory organs in carrying out their work. The Secretariat is responsible for:

- Carrying out the tasks assigned to it by the summit of ACP Head of State and Governments, the ACP Council of Ministers, ACP Committee of Ambassadors and the ACP JPA;
- Monitoring the implementation of the Cotonou Agreement.

The ACP Council of Ministers determines the structure of the ACP Secretariat and lays down its staff regulations. The secretariat is headed by a secretary-general.

The European Commission's Directorate General for Development (DG Development)

The DG Development formulates the Community's development policy applicable to all developing countries. It closely collaborates with other Commission services and contributes to their policy formulation, such as trade, fisheries environment etc. But most importantly in our context, it has a direct responsibility for the Community relations with the ACP countries. In this regard the DG Development

- develops cooperation strategies, e.g. for the programming of the financial resources, the economic cooperation, the political dialogue;
- monitors the implementation of the cooperation as agreed with the ACP partners.

3.3 Field-based institutions

In the ACP countries two institutions steer the cooperation (see chapter 2.2) and provide information for local actors:

The National Authorising Officer (NAO)

Each country appoints a senior government official as NAO to represent the country in all the operations financed by EU. In Tanzania the NAO is the Permanent Secretary in the Ministry of Finance (Permanent Secretary Treasury Mr. Mgonja). He is supported by the EDF Development Programme Support

Unit”, located in the same ministry. The NAO works in close collaboration with the European Commission’s Head of Delegation (HoD) on preparing and appraising projects/programmes. The NAO is responsible for:

- tendering of contracts;
- authorizing expenditures;
- ensuring execution of projects/programmes.

The Delegation of the European Commission (EC Delegation)

The European Commission is represented in each ACP country by a local office, which is referred to as a Delegation. Each local office is headed by a Delegate. His responsibility is:

- to assist on request in the preparation of projects and programmes and in negotiating technical assistance contracts;
- to participate in appraising projects and programmes, preparing tender dossiers and seeking ways to simplify project and programme appraisal and implementation procedures;
- to prepare financing proposals;
- to approve local open invitations to tender;
- the opening and examination of tenders;
- to design, implement and control the Country Support Strategy;
- to conduct reviews;
- to assume a dual role in promoting NSAs: as facilitator and critical observer.

4. Non-state actors: A new partner in the ACP-EU cooperation

In the last chapter attention will be paid to one of the most important innovations of the Cotonou Agreement. In the Agreement, the ACP-EU governments have paved the way for new actors, the *non-state actors (NSAs)*, to join the partnership. The decision to make poverty reduction the central objective of the Cotonou Agreement and the support for the ongoing democratization processes in many ACP countries an integral part of the ACP-EU development cooperation, made it essential to extend the cooperation to new partners. Thus, **in the Cotonou Agreement participation is defined as a fundamental principle of the partnership. In future all sections of civil society will be invited to articulate their views and concerns on policies that directly affect their lives and encouraged to contribute towards development change.** The Cotonou Agreement has incorporated provisions that on the one hand assure the participation of the new actors and on the other hand give orientation on how to integrate them.

Who can participate?

In future, participation is possible for **a wide range of new actors outside the government institutions.** The Cotonou Agreement incorporated a definition

that is not clear-cut but goes beyond the thinking that the private sector and its initiatives are the most efficient mechanisms for achieving economic growth and providing services to all people. Thus, the definition recognizes the diversity of civil society and takes account of those who are not reached by the market. Accordingly, Art. 6 of the Cotonou Agreement differentiates between the following types of non-state actors:

- **private sector**
- **economic and social partners, including trade union organizations;**
- **civil society in all its forms according to national characteristics.**

In addition, there exist a few criteria the organizations have to meet, to qualify for participation. To be eligible NSAs must address the needs of the population, have specific competences and levels of organization and must be organized and managed democratically and transparently. With those general provisions in place, it is obvious that the decision which NSAs to integrate will be made at the national level and is left to each ACP government and the EC Delegation. But NSAs should play a role and help to take account of the complexity of local NSAs by contributing to the definition of more country specific eligibility criteria.

What is the legal framework for participation?

Non-state actors are recognized as new partners in the ACP-EU cooperation, but they are not equipped with the same rights as the traditional actors of the cooperation. **Art. 4 gives an indication of the scope of action provided for the NSAs.** It sets out that NSAs shall, where appropriate:

- be informed and involved in consultation on cooperation policies and strategies, on priorities for cooperation especially in areas that concern or directly affect them, and on the political dialogue:
 - o be provided with financial resources;
 - o be involved in the implementation of cooperation projects and programmes in areas that concern them or where these actors have a comparative advantage;
 - o be provided with capacity building support, particularly as regards organization and representation, and the establishment of consultation mechanisms.

What will be the role of the NSAs?

The above provisions indicate that NSAs in future will play a dual role in the cooperation, in form of **service providers** and/or **partners in dialogue**. Firstly, it is in the interest of the ACP governments and the EU to make use of the considerable experience the NSAs have built up in delivery of social services.

Secondly, the governments expect to receive inputs for their policies to better meet the needs and concerns of the groups that are represented by NSAs.

What areas can the NSAs get involved in?

The Cotonou Agreement envisages participation in all three areas: **the political dimension, the development cooperation and the trade cooperation**. In addition to Art 4, this is made explicit in the articles that define the cooperation in the different areas.

In regard to the political dimension:

Art 8 states that the “representatives of civil society organizations shall **be associated with this dialogue**” and according to Art 10 a greater involvement of an active civil society and private sector is seen as a **contribution to the maintenance of a stable democratic political environment**.

In regard to development cooperation:

Art 19 and Art 33 outline that “Governments and non-state actors shall initiate **consultations on country development strategies and community support** thereto” and that “the cooperation shall span all areas and sectors” of development cooperation.

In regard to trade:

Art 4 remains the only decisive indication, as it allows participation of NSAs in those areas that directly concern or affect them.

What does this mean in practice?

Even though participation is possible in all areas, the exact points of entry are more difficult to identify. Firstly, because it requires information about the cooperation at national level, its processes and procedures. Secondly, it requires the support of the ACP governments and the EC Delegation, which might not be in favour of NSAs involvement in all processes. By and large the following processes could serve as points of entry:

In the political dimension NSAs can seek involvement in

- programmes that support ongoing democratization processes and good governance;
- the monitoring of budget support;
- the dialogue at all ACP-EU level.

In the development cooperation NSAs can get involved, inter alia

- in the programming process;
- in the various review mechanisms;
- evaluation of projects/sector programmes or

- the implementation of specific programmes/projects set out in the National Indicative Programme.

In the trade negotiations participation can be essential in

- the national consultations on trade
- the negotiating teams;
- the structured dialogue at the regional level.

(For a table of the points of entry see Annex VII)

GLOSSARY:**Key words of the Cotonou Agreement**

ACP group. Group of sub-Saharan African, Caribbean and Pacific countries associated to the EU initially through the Lomé conventions and since 2000 the new Cotonou Agreement. The group established in 1975 with the signing of the Georgetown Agreement. Over the years the group has increased in number from 46 under Lomé I to recently 79 members, of which only 77 participate in the cooperation under the Cotonou Agreement. Two members hold a special status. One is South Africa. It is represented in all joint ACP-EU institutions, but does not profit from the EDF resources. Its support is drawn from the EC's general budget. It has furthermore concluded a separate trade agreement with the EU. The other one is Cuba which has not signed the Cotonou Agreement.

Cotonou Agreement (CA). The CA is the fifth partnership agreement between the EU and the ACP group of states. It defines the cooperation of the parties in the areas of aid, trade and politics in order to fight poverty, promote democracy, contribute to economic growth and sustainable development. The agreement was signed in Cotonou (Benin) in February 2000 and entered into force in April 2003 after it had been ratified by the signatory states. The CA is concluded for 20 years (2000-2020). Alongside the agreement exists a financial protocol outlining the resources available

through the European Development Fund (EDF) for a period of five years an overall amount of 15.2 billion Euros from previous EDFs have been provided.

Country Support Strategy (CSS).

The CSS is the broad policy framework within which the EU assistance to a single ACP country is made available. It includes an analysis of the country's political, economic and social context, and outlines its medium-term development strategies. It pays attention to the activities of other donors and includes the EU response strategy, which details the specific contribution the EU can provide. The CSS serves as an instrument to priorities activities. Attached to the CSS is a National Indicative Programme. A similar framework, the Regional Support Strategy, also exists for the cooperation at regional level.

Cross-cutting issues. A cross-cutting issue is an issue that is considered vital for the reduction of poverty and the achievement of sustainable development. It needs to be taken into account in all areas of the cooperation. In the Cotonou Agreement the cross-cutting issues are outlined in Art. 20. They comprise gender and environmental issues, institutional development and capacity building. In addition, the same issues can also be subject to independent programmes and projects.

Economic Partnership Agreements (EPAs). Economic

Partnership Agreements will replace the current ACP-EU regime of non-reciprocal trade preferences. The Agreements will be in line with the rules of the WTO and progressively remove all barriers to trade between the partners. EPAs will be concluded with regional blocs to foster the ongoing regional integration process in the ACP countries. Partnership Agreements will cover a period of 5 years (2002-2007). In this transitional period the system of non-reciprocal preferences remains in place. It will be replaced in January 2008, when EPAs enter into force. EPAs are to be implemented within 12 years. This means that all barriers to trade will have to be removed until 2020.

Essential elements. The incorporation of an essential element clause strengthened the political dimension of the ACP-EU partnership. The clause defines political principles, which constitute an integral part of sustainable development. The principles are human rights, the universally recognized democratic principles and the rule of law. The parties have committed themselves to respect the principles and actively promote their implementation. To enforce the effectiveness of this obligation the essential elements are linked with a suspension mechanism, to be invoked in case of a violation of the principles. The essential elements are subject to the political dialogue and regularly assessed in the review processes.

European Development Fund (EDF). The EDF is a specific funding

mechanism outside the European Commission's general budget. Established in 1958, it provides financial support for the social and economic development activities in the ACP countries only. Every five years the EU member states agree in negotiations on the amount contributed to the EDF. The contribution is based on certain criteria, such as a country's Gross National Product (GNP) or historical links with the ACP countries, which up to now make Germany and France the main contributors to the EDF. The fund is administered by the European Commission with the EU member states exerting an influence on the financing decision through the EDF committee.

European Union (EU). The European Union constitutes a new step in the process of building a close Union between the people of Europe. It rests on three pillars: economic cooperation, judicial cooperation and political cooperation. The European Union constitutes an amalgamation of European States, that all kept their sovereignty. It consists of 25 member states and the European Commission as its supranational institution. With 452 million people, the EU is the world's largest trading bloc and a major trading partner to many ACP countries. In addition, it is also one of the largest donors of development aid. The cooperation with the ACP group of states, under various conventions, has been going on for more than 25 years now.

Everything But Arms Initiative (EBA). The EBA initiative was

launched in September 2000 by the European Commission. It introduced duty and quota free access to the EU market for all exports originating in least developed countries (LDCs), with the exception of arms and ammunition. With EBA all remaining import duties on agricultural and processed agricultural goods produced in LDCs have been eliminated and a special provision for sensitive goods (rice, sugar, bananas) has been put in place. For the sensitive products access to the EU market is duty free but still quota restricted for a transitional period (2007 for bananas, 2009 for rice and sugar). The EBA initiative is compliant with WTO rules referring non-discrimination as it applies to all LDCs.

Financial Protocol. The financial protocol is annexed to the Cotonou Agreement. It specifies how the overall amount of the EU's financial assistance provided to the ACP group for a period of five years is allocated between the two financial instruments, the grant facility and the investment facility.

Fundamental elements. The fundamental elements clause complements the essential elements. It refers to good governance, defined as "(...) the transparent and accountable management of human, natural, economic and financial resources". In deviation to the essential elements clause, good governance is not combined with a sanction mechanism. Only corruption is excluded. Severe cases could trigger an equal suspension mechanism. The fundamental

elements are subject to the political dialogue and regularly assessed in the review processes.

Grant facility. The grant facility is one of two financial instruments, the EDF resources are channelled through. It comprises all non-repayable funds (grants) reserved for long-term development including the support for some institutions (i.e. the Joint Parliamentary Assembly). In addition the funds are earmarked for regional cooperation and for the financial support to the Investment facility.

Investment facility. The investment facility constitutes the second financial instrument the EDF resources are channelled through. It provides loans on concessional terms for private sector development activities. The facility functions as a revolving fund, meaning that the returns accruing from its operations flow back to the facility. The investment facility is managed by the European Investment Bank.

National Indicative Programme (NIP). The NIP is annexed to the CSS. It is a basic work plan, outlining the focal sectors the support in one country will be concentrated on. It includes clearly identified operations, a timetable for their implementation and a schedule for the disbursement of the resources. Over and above that the NIP provides the indicators to be applied in the review processes. An indicative programme also exists for the regional cooperation (Regional Indicative Programme). It is annexed to the Regional Support Strategy.

Non-reciprocal trade preferences.

The non-reciprocal trade preferences grant unlimited and duty free access to the EU market for 99% of industrial and other goods originating in the ACP countries, excluding the obligation to open the ACP markets to the EU in return. Under the Cotonou Agreement the preferences are going to be replaced by a reciprocal trade regime, to be negotiated as Economic Partnership Agreements.

Non-State Actors (NSAs). The Cotonou Agreement recognises the complementary role civil society plays in the process of poverty reduction. Therefore, it has extended its partnership to so called non-state actors, comprising the private sector, social and economic partners (trade unions) and civil society in all its forms. The NSAs are equipped with various rights. They are in future to be informed and consulted on cooperation policies and strategies, provided with financial support and capacity building and involved in the implementation of programmes and projects.

Priority sector: To increase the efficiency of its limited aid resources the EU concentrates its support to an individual ACP country on a few sectors only, called focal and non-focal sectors. The focal and non-focal sectors are in line with a country's own development strategies. They are selected according to each sector's poverty incidence, progress in a sector reform processes, the EU's comparative advantage in a sector and the complementarity with the EU

member states. The (non-) focal sectors are agreed upon in the programming process.

Programming process. It is a formal process of consultations and decision making between the EU and an individual ACP country or regional body, in which the priority sectors of assistance, particular operations financed from the grant envelope and the implementing agencies are identified. The programming comprises the drawing up of the Country/Regional Support Strategy and the designing of the National / Regional Indicative Programme.

Reviews. The Cotonou Agreement established a number of review processes that make it possible, continuously to update the Country Support Strategy, the volume of the resources and the indicative programme to the developments in need and performance of a country. The Cotonou Agreement differentiates between three review processes:

- *The annual operational process.*

It is a stock-taking exercise with focus on the national indicative programme. During the annual review the results achieved in the focal sectors are measured against identified targets, impact indicators and sectoral policy commitments. But also the use of the resources set aside for non-state actors is assessed.

- *The mid- and end of term reviews.*

These reviews mark the mid and end of the five year application period of the financial protocol. They build on the annual reviews

including the option to update and modify the programme. In addition, they are conceived to evaluate the effectiveness of the Country Support Strategy. This means that based on the analysis of the country performance in meeting set targets, substantive changes can be proposed and resources can be confirmed or reallocated.

Suspension mechanism. The human rights, democratic principles, rule of law (essential elements) and the fight against corruption are linked with a suspension mechanism. According to Art. 96 and Art. 97 of the Cotonou Agreement, a suspension mechanism can be invoked in cases where a partner, be it the EU or an ACP state, has committed a violation of the principles. The mechanism takes the form of a consultation process involving the party concerned and aims at identifying mutually acceptable measures to remedy the situation. But even if consultations are refused or agreement on a mutually acceptable solution is impossible, appropriate measures can be taken. They have to be in accordance with international law and partial or total suspension of the aid should be a measure of last resort.

Sustainable development. The term sustainable development takes account of the negative impact, the interaction between environmental destruction and poverty has. Against this background development has to be promoted in such a way, that it meets the need of contemporary generations, without reducing the

possibilities of future generations to fulfil their needs or choose their lives. Since the United Nations Conference on Environment and Development, in 1991, the term stands for an internationally promoted, new approach to development. In the Cotonou Agreement, sustainable development is considered a necessary prerequisite for poverty eradication.

Treaty of Rome. Treaty of the foundation of the European Economic Community (EEC), concluded in March 1957 in Rome between Belgium, Denmark, Germany, France, Luxembourg and the Netherlands. Incorporated in the treaty is the EEC's first commitment for external assistance.

World Trade Organization (WTO) Compatibility. The Economic Partnership Agreements aim to establish free trade areas that are WTO compatible, meaning they are in line with the rules of the WTO. Taken the existing WHO rules as a guiding principle, a free trade area arrangement requires to cover substantially all trade (in this case 90%), be fully implemented within 10 to 12 years and exclude no sector. Against this background the ACP countries have raised the concern, that a time limit of 12 years does not allow the establishment of an adequate framework for moves towards free trade arrangements, which are consistent with the level of development of each ACP country and at the same time accommodate the different development needs of the countries. Therefore they insist on a modification of the WTO rules.

Annex I **EU member states**

The member states of the European Union are:

Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, United Kingdom

Since 2004 Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia.

Annex II **ACP group of State**

Least Development Countries (LDCs)			
Africa (34)	Caribbean (1)		Pacific (5)
Angola	Liberia	Haiti	Kiribati
Benin	Madagascar		Samoa
Burkina Faso	Malawi		Solomon
Burundi	Mali		Island
Cape Verde	Mauritania		Tuvalu
CAR	Mozambique		Vanuatu
Chad	Niger		
Comoros	Rwanda		
DR of Congo	Sao Tome & Principe		
Djibouti	Senegal		
Equat. Guinea	Sierra Leone		
Eritrea	Somalia		
Ethiopia	Sudan		
Gambia	Tanzania		
Guinea	Togo		
Guinea Bissau	Uganda		
Lesotho	Zambia		

Non-LDCs		
Africa (34)	Caribbean (1)	Pacific (5)
Botswana	Antigua	Fiji
Cameroon	Barbuda	Papua New Guinea
Congo	Bahamas	Tonga
Brazzaville	Barbados	Marshall
Ivory Coast	Belize	Island
Gabon	Cuba	Cook Island
Ghana	Dominica	Micronesia
Kenya	Dominican	Nauru
Mauritius	Grenada	Niue
Namibia	Guyana	Palau
Nigeria	Jamaica	
Seychelles	St. Kitts/Nevis	
South Africa	St. Lucia	
Swaziland	St. Vincent	
Zimbabwe	The Grenadines	
	Surinam	
	Trinidad	
	Tobago	

(Source: European Centre for Development Policy Management (ecdpm), 2001. Cotonou Infokit. The new ACP-EU Partnership Agreement Maastricht, intro 5.)

Annex III Structure of Political Dialogue

	Political dialogue
Issues	Assessment of promotion of essential and fundamental; elements Violation of essential and fundamental elements, Arms trade, military expenditure Organized crime, drugs Conflict prevention, conflict management and resolution Facilitate agreement on cooperation priorities Coherence of EU policies with ACP interests
Form	Formal and informal (inside and outside the institutions)
Hierarchical Structure	Ministers Government officials Civil society
Geographical Structure	National Region all ACP-EU level

Compiled on the basis of the Cotonou Agreement, Part One General Provisions, Title II The political dimension

Annex IV

THE 9TH EDF FUNDING PACKAGE

THE 9TH EDF FUNDING PACKAGE	
Million EURO	
OVERALL AMOUNT	15,200
- Grants from EU member states	13,500
- EIB Own Resources	1,700
Of this 13,500 million EURO in grant aid some:	
2,200 million EURO is allocated to the Investment Facility ;	
11,300 million EURO is allocated to the Long Term Development Co-operation Facility	
Of the 11,300 million EURO allocated to the long-term development cooperation facility some:	
- 1,300 million EURO is allocated to Regional Co-operation & Integration ;	
- 10,000 million EURO is allocated to National Long Term Development Co-operation	
Of this 10,000 million EURO allocated to national long-term development co-operation some:	
- 90 million EURO is allocated to the CDE;	
- 70 million EURO is allocated to the CTA;	
- 4 million EURO is allocated to the Joint Assembly.	

(Source: Paul Goodison, (no date), Overview of development assistance arrangements under the Cotonou Agreement, European Research Office, Brussels, p4)

Annex V Economic Partnership Agreement Negotiations

Timing	Steps in the negotiations
June 2000	Signing of the Cotonou Agreement, which included an understanding to agree, by 2008 at latest, on new development-oriented and WTO compatible trading arrangements.
September 2002	Opening of the trade negotiations between ACO and the EU, phase I: negotiations at an all-ACP level on principles, objectives and issues common to all ACP countries
September 2003	Start of phase II: negotiations with those ACP countries that consider themselves ready to enter into EPAs.
2004	The EU and ACP countries study possible alternative for non-LDC countries that decide they are unable to enter into EPAs
2006	Both parties ensure that the calendar of negotiations permits adequate preparation.
January 2008	Application of new ACP-EU trade regime – the end of the global ACP preferential regime.
2008-2020	Implementation of trade liberalization within the context of the EPA

(Source: ACP Secretariat, 2003. The Cotonou Agreement: A user's Guide for non State Actors, Annex IV The Economic Partnership Agreement (EPA) negotiations, Brussels, S.118)

Annex VI Joint ACP – EU Institutions

Institution	ACP-EU Council of Ministers	ACP-EC Committee of Ambassadors	The ACP-EC Joint Parliamentary Assembly (JPA)
Members	One representative of government of each ACP country, each EU member State and the European Commission	Representatives of each EU Member State to the EU, the Head of Mission of each ACP State to the EU, and a member of the European Commission	An equal number of EU and ACP Parliamentarians
Frequency of meetings	Normally once a year	About once a month. There are sub-committees that meet more frequently	Twice a year in plenary session. It has standing committees that meet more frequently.
Functions	<ul style="list-style-type: none"> - engage in political dialogue - adopts policy guidelines - takes legally binding decisions concerning the implementation of cooperation agreements between the ACP and the EC 	<ul style="list-style-type: none"> - monitors the implementation of cooperation - assists the ACP-EC Council of Ministers 	<ul style="list-style-type: none"> - promotes democratic processes through dialogue and consultation-adopts resolutions, and makes recommendation to the ACP-EC Council of Ministers-raises public awareness of cooperation agreements

(Source: ACP Secretariat, 2003. The Cotonou Agreement: A User's Guide for Non-State Actors, Annex III joint ACP-EU Institutions, Brussels, p 117)

**Annex VII Points of entry for Non-State Actors (NSAs)
Participation in the ACP-EU cooperation**

	NSAs as service provider	NSAs as partner in dialogue
Development Cooperation	<ul style="list-style-type: none"> - implementation of programmes/projects included in National Indicative Programme - evaluation of projects/sector programmes - implementation of specific programmes in support of NSAs 	<ul style="list-style-type: none"> - formulation of national/regional development policies/strategies- preparation of Country Support Strategy definition of sector strategies-participation in review processes
Trade		<ul style="list-style-type: none"> - national consultations on trade - participation in negotiating teams - structured dialogue at the regional level
Political dialogue	<ul style="list-style-type: none"> - Participation in programmes that support ongoing democratization and good governance 	<ul style="list-style-type: none"> - Monitoring budget support-participation in the dialogue at all ACP-EU level

(source: ACP Secretariat, 2003. The Cotonou Agreement: A User's Guide for Non-State Actors, Brussels, pp.43-6)

Selected Bibliography

ACP Secretariat, 2003. The Cotonou Agreement: A user's guide for non-state actors, Brussels.

Cox, Aidan; Antonique Koning, 1997. Understanding European Community Aid. Aid Policies, Management and Distribution explained, Overseas Development Institute (OD) (eds.), London.

European Centre for Development Management Policy (ecdpm), 2001. Cotonou Infokit, The new ACP-EU Partnership Agreement, Maastricht.

European Commission, 2000. The Cotonou Agreement 2000 – 2020, Statistics, texts, photographs, on CD rom, Brussels.

Goodison, Paul, (no date), Political Relations under the Cotonou Agreement, European Research Office, Brussels.

Goodison, Paul, (no date), Overview of the development assistance arrangements under the Cotonou Agreement, European Research Office, Brussels.

Goodison, Paul, (no date), Administrative Arrangements under the Cotonou Agreement, European Research Office, Brussels.

Otieno-Odek (ed), (no date), Impact of EU CAP reforms in East Africa, Friedrich Ebert Stiftung (FES), Kenya.

Websites

ACP secretariate website: www.acpsec.org

Epawatch website: www.epawatch.net

EU website: www.europa.eu.int

Friedrich Ebert Stiftung (FES) website: www.fes.de