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ANNEX

ANNEX

to the

Proposal for a COUNCIL DECISION

on the position to be taken on behalf of the European Union in the OACPS-EU Council of Ministers concerning the adoption of joint guidelines for the conduction of partnership dialogue under Article 3 of the Partnership Agreement between the European Union and its Member States, of the one part, and the Members of the Organisation of the African, Caribbean and Pacific States, of the other part

ANNEX

DECISION No XX/XXXX

OF THE OACPS-EU COUNCIL OF MINISTERS

adopting Joint Guidelines for the conduction of Partnership Dialogue under Article 3 of the Samoa Agreement

THE OACPS–EU COUNCIL OF MINISTERS,

Having regard to the Partnership Agreement between the EU and its Member States, of the one part, and the Members of the OACPS, of the other part ('the Samoa Agreement'), and in particular Article 3 and Article 88(4) (c), thereof,

Whereas:

(1) The Samoa Agreement is being provisionally applied since 1 January 2024.

(2) Pursuant to Article 3 of the Samoa Agreement, the Parties shall engage in regular, balanced, comprehensive and substantive partnership dialogue on all areas of the Agreement, leading to commitments and, where appropriate, actions on both sides, for its effective implementation.

(3) Pursuant to Article 88(4) (c) the OACPS-EU Council of Ministers shall adopt policy guidelines and take decisions to give effect to specific aspects necessary for the implementation of the provisions of the Agreement,

HAS DECIDED AS FOLLOWS:

Sole Article

The Joint Guidelines for the conduction of Partnership Dialogue under Article 3 of the Samoa Agreement, as set out in the Annex, are hereby adopted.

This Decision shall enter into force on the date of its adoption.

Done at XXXXXX,

For the OACPS-EU Council of Ministers

The Chairs

ANNEX

to the

DECISION No XX/XXXX

OF THE OACPS-EU COUNCIL OF MINISTERS

OACPS-EU guidelines for Partnership Dialogue under Article 3 of the Samoa Agreement

I. INTRODUCTION

1. The Partnership Agreement between the European Union and its Member States of the one part, and the Members of the Organisation of the African, Caribbean and Pacific States, of the other part, hereinafter referred to as 'the Agreement', was signed in Samoa on 15 November 2023, and is being provisionally applied since 1 January 2024. Article 3(1) of the Agreement calls on the Parties to engage in regular, balanced, comprehensive and substantive partnership dialogue on all areas of the Agreement, leading to commitments and, where appropriate, actions on both sides, for its effective implementation.

2. As provided in Article 1(4) of the Agreement, partnership dialogue is one of the main tools to achieve the objectives of the Agreement, together with action tailored to the specificities of the Parties.

3. As provided in Article 3(2) of the Agreement, the objective of the partnership dialogue shall be to exchange information, foster mutual understanding and facilitate the establishment of agreed priorities and shared agendas at the national, regional and international levels, and Parties shall cooperate and coordinate on issues of common interest and new challenges in international settings.

4. As provided in Article 3(3), the partnership dialogue shall be conducted in a flexible and tailor-made manner, shall take place at regular intervals in the appropriate format and at the most appropriate domestic, regional or multi-country level, and shall take full advantage of all possible channels, including regional and international settings.

5. Partnership dialogue may also be used to discuss specific issues set out in Articles 9(3) (death penalty), 12(4) and 12(6) (fight against money laundering, terrorism financing and tax matters), 18(3) (non-proliferation of weapons of mass destruction), 62 (migration and mobility) and 74(5) (return and readmission).

6. As foreseen in the Agreement (Article 101(4)), partnership dialogue shall also be used to address divergences between the parties, with a view to preventing situations arising in which one party might deem it necessary to have recourse to the consultations provided in Article 101(5-6).

II. OBJECTIVE

7. These guidelines aim at providing joint operational guidance for the implementation the partnership dialogue provisions of the Samoa Agreement, also taking into account the lessons learnt from political dialogue under Article 8 of the Cotonou Agreement.

8. These guidelines are to be applied in a flexible manner, to ensure a tailor-made approach to the dialogue's format and objectives.

III. PARTNERSHIP DIALOGUE IMPLEMENTATION

A. Agendas

9. Partnership dialogue shall cover all areas of the Agreement, contributing to the attainment of the objectives set out in its Article 1.

10. The agendas for partnership dialogue meetings shall be jointly defined and include national, regional, continental and multi-country and global issues of mutual interest and/or concern in a balanced manner, strengthening synergies between the national, regional and multi-country dimensions of the OACPS-EU Partnership.

11. Partnership dialogue sessions shall allow for regular, balanced, comprehensive and substantive partnership dialogue on all areas of the Agreement, leading to commitments and, where appropriate, actions on both sides, for its effective implementation.

B. Preparation

12. Partnership dialogue sessions shall be jointly prepared beforehand, whenever possible.

13. Background information shall be shared in advance, where available, contributing to more substantial exchanges and outcomes.

C. Format

14. Partnership dialogue between the EU Party and the relevant OACPS counterpart(s) shall take place at the most appropriate domestic, regional or multi-country level and take full advantage of all possible channels, including in regional and international settings. Partnership dialogue shall also take into consideration principles of complementarity and subsidiarity.

15. Partnership dialogue can take the format of dedicated thematic dialogues on specific issues whenever appropriate.

Partnership dialogue at the national level

16. Partnership dialogue at the national level shall take place at regular intervals and in principle once a year, in order to exchange information, foster mutual understanding and facilitate the establishment of agreed priorities and shared agendas at national level.

17. Partnership dialogue at the national level may take place locally or in other settings (such as in Brussels or in the margins of international or joint events).

18. Partnership dialogue at the national level may also address regional and global issues of mutual interest.

19. Synergies and complementarities shall be sought with policy dialogues on specific topics (such as budget support, Human Rights), avoiding duplications.

20. In case of need for clarification of any issue pertinent to the Agreement, or divergences between the Parties, partnership dialogue shall take place more frequently, to prevent situations in which one party might deem necessary to have recourse to the consultations provided in Article 101(5) and (6).

Partnership dialogue at the regional level

21. Partnership dialogue at regional protocol level shall take place at regular intervals, in order to exchange information, foster mutual understanding and facilitate the establishment of agreed priorities and shared agendas at regional level. Dialogue at regional protocol level should encourage regional cooperation with the Overseas Countries and Territories (OCTs) associated with the EU and the EU's outermost regions in areas of common interest.

22. Partnership dialogue at regional protocol level may take place in the margins of regional events or in other settings (such as in Brussels or in the margins of international or joint events).

23. Partnership dialogue at regional level shall also contribute to the preparation of Regional Ministerial Councils and of the dialogue at multi-country level.

Partnership dialogue at multi-country level

24. Partnership dialogue at multi-country level, shall take place at regular intervals in the appropriate format, in order to exchange information, foster mutual understanding and facilitate the establishment of agreed priorities and shared agendas at international level and to cooperate and coordinate on issues of common interest and new challenges in international settings.

25. Partnership dialogue at multi-country level may be held in the margins of international meetings or in other settings (such as in Brussels or in the margins of joint events).

26. Partnership dialogue may also take place between the diplomatic representations of the Parties to regional and international organisations, at regular intervals, in order to exchange information, foster mutual understanding and facilitate the establishment of agreed priorities and shared agendas at international level and to cooperate and coordinate on issues of common interest and new challenges in international settings.

D. Participation

27. The Parties shall be represented in the partnership dialogue sessions at political or senior official level, as appropriate, depending on content and expected results.

28. Partnership dialogue may involve different Ministries and services, depending on the issues to be addressed.

29. As foreseen in Article 3(4) of the Agreement, 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 partnership dialogue, as appropriate.

E. Follow-up

30. Possible commitments and follow-up actions, where appropriate, shall be agreed during the dialogue.

31. Agreed follow-up actions shall be addressed in subsequent partnership dialogue sessions.

32. Specific follow-up actions (such as working groups) may be established to take forward the dialogue/action in concrete areas.

33. The partnership dialogue shall be complemented by regular contacts between the Parties, to achieve the objectives of the Agreement.

IV. REVISION

34. As foreseen in Article 3(3) of the Agreement, the Parties agree to monitor and evaluate the effectiveness of the partnership dialogue and to adapt its scope, as appropriate.

35. These guidelines may be adapted as appropriate in light of that joint assessment.