

## DECLARATION

### OF THE ACP COUNCIL OF MINISTERS AT ITS 86<sup>TH</sup> SESSION EXPRESSING SERIOUS CONCERN ON THE STATUS OF THE NEGOTIATIONS OF THE ECONOMIC PARTNERSHIP AGREEMENTS

The ACP Council of Ministers, meeting in Brussels from 10 - 13 December 2007, held an exchange of views on the status of the negotiations of the Economic Partnership Agreement. Ministers noted the continued serious concern among the ACP Member States and regions, including those that had initialled the interim agreements

Ministers noted the impending deadline of 31 December 2007 for the expiry of the trade provisions of the Cotonou Agreement and WTO waiver, and expressed concern at the declaration by the European Commission that the non-conclusion of interim trade agreements could lead to serious disruption of the ACP-EU trade.

Ministers expressed appreciation to Denmark, Ireland, the Netherlands and the United Kingdom for their declaration at the General Affairs and External Relations Council (GAERC) meeting of 10 December 2007, urging the European Commission to show flexibility in reaching agreement on market access in goods by the end of 2007 and to avoid ACP States being made worse off in the new arrangement.

Ministers deplore the enormous pressure that has been brought to bear on the ACP States by the European Commission to initial the interim trade arrangements, contrary to the spirit of the ACP-EU partnership.

Ministers observed that the recent statements and pronouncements made by European Commission to the media and other fora, are at variance with the demands being made to the ACP negotiating regions and States. Ministers observed that European Union's mercantilist interests have taken precedence over the ACP's developmental and regional integration interests.

Ministers noted the decision of the Council of the European Union on 20 November 2007 to endorse a two-step approach to negotiate WTO compatible agreements including market access for goods as interim arrangements for ACP regions or sub-regions.

Ministers therefore welcomed the assurances given by the President of the European Commission, Mr. Manuel Barroso at the EU-Africa Summit, held in Lisbon, Portugal, on 8 and 9 December 2007 that the discussions on the Economic Partnership Agreements would continue beyond the initialling of interim arrangements and that the contentious clauses therein would be opened up for re-negotiation. Ministers also welcomed his offer to visit ACP regions to discuss these matters further.

Ministers stressed the need for revisiting the provisions which might be incompatible with their development goals and inconsistent with the binding provisions of the Cotonou Agreement.

Ministers underlined the importance of regional markets and stressed that any arrangements that undermines ongoing ACP regional integration processes, must be avoided. In this regard, they emphasized the need to prioritize regional integration processes within the ACP, over the free trade with the European Union, be recognized.

Ministers noted the decision of the Council of the European Union to adopt a draft Regulation on 20 December 2007 to provide preferential market access into the European Union from 1 January 2008 for exports from ACP States that have initialled interim arrangements. Ministers however, called on the European Union to honour its commitments made in the Cotonou Agreement to ensure that the ACP States not in a position to sign an EPA, be provided with a framework for trade which is at least equivalent to their existing situations.

Ministers reiterated the unity and solidarity of the ACP Group and regions and agreed on the need for the EPAs to take into account, the concerns and interests of all ACP States to ensure that no ACP State is worse off at the end of the EPA process.

**Brussels, 13<sup>th</sup> December 2007**

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