

To the Council of the European Union
(the EU Ministers for Development Cooperation)

Dear Ministers,

Brussels, 27 September 2010

Re: Urgent plea to relieve the Commission of its EPA mandate

27 September marks [marked] the 8th anniversary of the launch of the EPA negotiations. Almost three years past the 2007 deadline the majority of EPA negotiations remain at an impasse. The Commissioners for Trade and Development have invited you to reflect on this situation and to offer guidance for its future direction.

EU and ACP civil society have long since expressed their concern about the EPA negotiations. The mandate that the Council gave the Commission on 12 June 2002 went far beyond the WTO and Cotonou requirements. It reflected the EU's ambitious trade policy agenda of the time, but it was not suited for negotiations towards an adequate development friendly trade regime with a group of mostly Least Developed Countries, especially in Africa.

The stalling of the negotiations and the reluctance or refusal of several ACP states to sign EPAs are, in our view, an illustration of the fact that key conditions of the Cotonou Partnership Agreement have not been met, notably where the Agreement speaks about *due regard for political choices and development priorities* and taking account of the different needs and levels of development of the ACP countries and regions.

We call upon you, to use the opportunity of your discussions on 21-22 October to finally relieve the Commission of its EPA mandate. It is time to adapt EU trade policy to reflect reality and to stop insisting on comprehensive deep-integration agreements that neither the WTO nor the Cotonou Agreement require nor the majority of ACP countries see as appropriate and feasible.

The EU should consider alternative arrangements to secure the continuity of the access of the ACP countries to the European market.

There are several options to make this happen. For instance a waiver-based solution. In view of the multiple-crisis situation a WTO waiver for new EU duty-free quota-free preferential regimes for Sub-Saharan Africa and the Pacific is not at all impossible. Alternatively, the EU could adapt the different forms of its Generalised System of Preferences to give both LDCs and 'economically vulnerable' countries duty-free, quota-free access to its markets.

Given that most African and Pacific countries are LDCs or small island states, the regions of Africa and the Pacific as such could be considered as least-developed regions and be offered the EBA trade regime.

This will mend the cracks in the regions that interim EPAs have caused and allow ACP-countries to devote their energy to further regional integration at their own pace without being upset by the EU's demands.

We look forward to a productive outcome from your discussions.

Sincerely yours,

The undersigned:

ACORD
ActionAid International
AEFJN
APRODEV
Corporate Europe Observatory
Partnership for change
Transnational Institute
World Rural Forum

Africa Contact, Denmark
Africa Groups of Sweden
Afrika-Europa Netwerk, The Netherlands
AITEC, France
Amici dei Popoli, Italy
ATTAC Denmark
ATTAC France
ATTAC Flanders
ATTAC Germany- AG Welthandel und WTO
AVSF, France
CCFD-Terre solidaire, France
CFSI, France
CNCD-Opération 11.11.11, Belgium
Coalition of the Flemish North-South Movement-11.11.11, Belgium
Comhlámh, Ireland
Fair, Italy
Forum Syd, Sweden
IBIS – Education for development, Denmark
ICCO, The Netherlands
Kasa, Germany
KOSA Koordination Suedliches Afrika, Germany
PowerShift, Germany
SOS Faim Belgium
Terra Nuova, Italy

Traidcraft, UK
Trócaire, Ireland
Vredeseilanden (VECO), Belgium
Welthaus Bielefeld, Germany
Weltwirtschaft, Ökologie & Entwicklung – WEED, Germany
War on Want, UK