



# TRIALOG

## Policy Paper

### Development Co-operation in the Context of EU Enlargement

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## TRIALOG aims to

- systematically improve co-operation between organisations in the EU Member States, the candidate countries and the global South
- exchange experiences and information between these organisations
- support the establishment of national NGDO platforms in candidate countries
- heighten public awareness within the EU and candidate countries of the need for co-operation between the future enlarged EU and the South
- strengthen the human resources available in candidate countries by supporting capacity-building measures
- increase the capacity of civil society in the candidate countries to lobby their governments on North-South development issues and to develop and implement related awareness-raising campaigns
- prevent a “play-off” between development co-operation and enlargement

## TRIALOG implements

- the TRIIALOG Website, which includes a database to select and contact partners
- the TRIIALOG translations, which include articles and documents on development policies and co-operation into the 11 languages of the candidate countries
- the TRIIALOG Newsletter, which focuses on enlargement and development, TRIIALOG activities and the activities of NGOs in candidate countries and the global South
- the TRIIALOG Seminars on issues like EU development policies, democracy and civil society, human rights and migration, labour issues and globalisation, gender training, environment and development, debt and structural adjustment policies, capacity building, PR and media work
- the TRIIALOG visiting programmes, bilateral seminars and internships, which enable staff of candidate country NGOs to visit their counterparts in the EU, to exchange experiences and to raise awareness about enlargement
- the TRIIALOG lobbying work on the European Institutions, which aims to increase the emphasis placed on development co-operation and civil society in the enlargement negotiations

## TRIALOG'S project background

- TRIIALOG is a consortium project co-financed by the European Commission. Consortium partners are: HORIZONT3000 as lead agency (Austria), Cordaid (NL), AGEH – Association for Development Cooperation and Brot für die Welt (D). Self generated NGO funds are made available by Horizont3000 (A), Cordaid (NL), Liaison Committee of Development NGOs to the EU, KEPA (SF), Forum Syd (S), AGEH (D).

## Executive Summary

Enlargement of the European Union is approaching quickly. 12 countries are preparing for accession by adapting policies and implementing Community legislation in all areas in order to become full-fledged members of the EU. This round of enlargement of the European Union is not only going to be the biggest one ever, but also the most challenging. It will have important and far-reaching implications for Europe, its citizens and the rest of the world.

Enlargement has the potential to enhance the EU's influence in terms of promoting peace, stability, democracy and human rights throughout the world. In order to do so, the issues of development policy and co-operation and the involvement of civil society need to be addressed with due respect during the accession process.

European development Non-Governmental Organisations (NGOs) consider it important to ensure that the enlargement of the EU does not jeopardise the existing relationship between the Union and developing countries and does not lead to a reduction of resources devoted to aid to these countries. European development NGOs seek an enlargement, which will enable the new Member States to fully participate in the EU's development policy, co-operation and implementation, thereby strengthening the basis of support to traditional developing countries.

This paper does not only call on the European Institutions and the current Member States to promote a political dialogue on development issues with the candidate countries, it argues for more. It asks for an increased emphasis to be placed on development co-operation at all stages of the accession process, for the provision of information on all Community aid policies and programmes and for the timely involvement of the candidate countries in EU development policy, co-operation and its implementation. Furthermore it calls for an official clarification of the expected status of development co-operation in the candidate countries upon accession. Finally it stresses the important role of civil society both in the process of enlargement and as partners in development co-operation on national and international levels. It argues for the importance of supporting and involving NGOs not only in the formulation of coherent national development strategies, policies and structures, but also in the design, implementation, monitoring and evaluation of national development co-operation projects.

In order to ensure a strong and coherent enlarged Europe, which is committed to poverty eradication and the promotion of sustainable economic, social and democratic development throughout the world, development issues have to receive the attention foreseen in the Treaty of Amsterdam and civil society must be regarded as a serious partner, in the enlargement process and in all other areas of EU policy-making.



## 1. Introduction

The European Union will soon welcome new countries amongst its members. The Czech Republic, Bulgaria, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, the Slovak Republic and Slovenia are all working hard to meet the high standards required for accession to the European Union. This does not only mean accepting and implementing the *Acquis communautaire* on legal and infra-structural levels, but also helping their populations to understand the implications of becoming EU-citizens.

The EU is investing a lot of effort and money to make this round of enlargement a success. Never before in the history of the EU have so many countries acceded at the same time and never have accession countries received as much help to prepare. Yet this imminent expansion of the EU has also given rise to unprecedented concerns.

One concern, raised by NGOs and the European Parliament alike, relates to a possible negative impact of enlargement on the common development policy. Both groups believe in enlargement, but argue for an enlargement, which will not result in a reduction of resources for assistance to the developing countries, but rather strengthening the basis of support for those countries.<sup>1</sup>

Development policy constitutes the third essential element (alongside trade and politics) of the EU's external activities. In accordance with the Treaty of Amsterdam, the objectives of the EC's development policy should be taken into account with all the other policies, which are likely to affect developing countries.<sup>2</sup>

The *Acquis communautaire* requires the accession countries to actively participate in EC development policy formulation and implementation. Former aid recipient countries are soon to become donor countries.

Civil society plays a vital role in this process. The European Commission acknowledges, that "NGOs can make an important contribution to the development of democracy and the development of a civil society in the candidate countries"<sup>3</sup>. The EC believes further, that NGO involvement in policy shaping and policy implementation can help to win public acceptance for the EU.

But the role of NGOs goes much further. Development NGOs often have an ability to reach the most disadvantaged in developing countries and to provide a voice for those not sufficiently heard through other channels. NGOs have the expertise and, in many cases, direct experience from the field to make a meaningful input into the development policy debate within the EU.

<sup>1</sup> See European Parliament Resolution in 1997 and Vienna Appeal 1998, following the conference "The Enlargement of the EU and the Role of NGOs"

<sup>2</sup> Art. 178 of the Treaty of Amsterdam

<sup>3</sup> Commission Discussion Paper: The Commission and Non-governmental Organisations: Building a Stronger Partnership, Jan. 2000, p.4

## 2. Development Policy and Co-operation and Enlargement

The European Union has become a global player in all external areas. The EU and its Member States provide approximately half of all official development aid to developing countries with the aim to eradicate poverty. "Community development policy is based on the principle of sustainable, equitable and participatory human and social development. Promotion of human rights, democracy, the rule of law and good governance are integral to this principle."<sup>4</sup>

Enlargement has the potential to enhance the EU's influence in world affairs, not (only) in terms of economic power, but by promoting peace, stability, democracy and human rights by ensuring sustainable development throughout the world.

The Laeken Declaration as the initiator of the Convention on the Future of Europe argues the same. It states that the challenge of an enlarged Europe is "to play a stabilising role worldwide, to shoulder its responsibilities in the governance of globalisation and to seek to set globalisation within a moral framework, in other words, to anchor it in solidarity and sustainable development."

THE CURRENT EXTERNAL ACTIONS OF THE EUROPEAN UNION DO NOT REFLECT AN ATTEMPT TO MEET THIS CHALLENGE.

### We therefore call on the European Council

- to promote the establishment of a comprehensive external policy framework, which puts poverty eradication at the centre of all other EU policies that have an impact on developing countries (like Agriculture, Trade, Fisheries, Transport, Energy, Environment and External Relations)
- to ensure that geo-political or economic interests of the EU do not contradict or undermine the objectives of development policy<sup>5</sup>

Most of the candidate countries have little experience in providing development assistance. They do not have strong historical ties with many of the traditional recipient countries of the EU's development assistance in Africa, Latin America and Asia. Even though they may have some experience with multilateral organisations like the UN and in the regions mentioned above, most of the candidate countries have focussed their aid efforts (which are mostly concentrated on the transfer of know-how related to economic and political transformation and on humanitarian aid) to countries of the former Soviet Union and the Balkans.

Despite these fundamental differences in experience, capacity and priorities, candidate countries are expected to participate in EU development co-operation upon accession, contributing to the financing of development assistance at the EC level and taking part in decision-making processes and implementation, as well as providing assistance on a bilateral basis.<sup>6</sup>

<sup>4</sup> The European Community's Development Policy - Statement by the Council and the Commission [http://www.europa.eu.int/comm/development/lex/en/council20001110\\_en.htm](http://www.europa.eu.int/comm/development/lex/en/council20001110_en.htm)

<sup>5</sup> See Liaison Committee of NGOs: Renewing the EU's global role in the world – Initial Liaison Committee NGO-EU Submission to the Convention on the Future of Europe, Discussion Paper June 2002.

<sup>6</sup> Development policy is a complementary competence, which means that it exists on both a national and European level. Member States maintain their own bilateral development programmes, fund the EC's common development policies and programmes (managed by the Commission) through their contributions to the EC budget and contribute to the European Development Fund. The Community and Member States have agreed to co-ordinate their policies and to consult each other on their assistance programmes.



ACCESSION COUNTRIES HAVE NOT RECEIVED OFFICIAL DIRECTIVES REGARDING DEVELOPMENT CO-OPERATION. CONSEQUENTLY, THEIR ROLE IN EC DEVELOPMENT CO-OPERATION REMAINS UNSPECIFIED. WHICH, IN TURN, LEAVES FUTURE MEMBER STATES UNINFORMED OF THE IMPLEMENTATION CAPACITIES AND FINANCIAL CONTRIBUTIONS THAT ARE EXPECTED OF THEM.

### **We therefore call on the European Parliament**

- to inform candidate country parliamentarians of the legal basis and the main principles of the EU's development policy and humanitarian aid <sup>7</sup>
- to include the issue of development co-operation and the vital role of NGOs in this area, in the regular meetings of the "Joint Parliamentary Committees" and the bi-annual "Meetings of the President of the European Parliament with the Presidents of the parliaments of the countries participating in the enlargement process"
- to open these meetings to NGO representatives or to arrange special sessions including NGO representatives in order to discuss European development co-operation and policy issues and its implications for candidate countries
- to invite members of candidate country parliaments to the meetings of the ACP-EU-Joint Parliamentary Assembly in order to prepare candidate countries for their accession to the Cotonou Agreement (the new ACP-EU Agreement) and to build links between the candidate countries and the ACP

### **And we call on the European Commission**

- to inform candidate countries in detail of the Cotonou Agreement and the European Development Fund as well as its administrative and financial procedures and demands
- to prepare the participation of all candidate countries in the EU's development partnership relations with all other regional groupings (MEDA, ALA etc.)

Future member states have a legitimate claim to rank as partners and to be informed in depth about the principles of development co-operation policy, so that development policy issues will receive the attention needed for a stable, strong and coherent future enlarged Europe open to the world.

## **3. The Enlargement Process and Development Issues**

The enlargement process consists of several steps from the application for membership to the final accession of the candidate countries. These include the fulfilment of the accession criteria as well as the drawing-up of a pre-accession strategy and negotiations. Important instruments of assessment are the so-called Regular Reports of the European Commission on the progress achieved by the candidate countries.

<sup>7</sup> Title XX of the Treaty of Amsterdam, Title XXI of the Treaty of Nice, Statement from the Council and the Commission of November 2000 on the EC's Development Policy, Council Regulation (EC) No. 2836/98 on the integrating of gender issues in development co-operation, the EU's international commitments like the 20/20 initiative, the 0,7% of GDP for development-initiative, the Millennium Development Goals, the OECD DAC commitment on aid untying, etc.

### 3.1. The Accession Criteria

Before any country can enter the European Union, it has to fulfil certain criteria. In this round of enlargement, the European Council in 1993 in Copenhagen agreed, that “ the associated countries in Central and Eastern Europe that so desire shall become members of the European Union” . Since then, enlargement has no longer been a question of ‘if’, but rather of ‘when’. The Council stated: “ Accession will take place as soon as an associated country is able to assume the obligations of membership by satisfying the economic and political conditions required.”

The criteria for accession were defined during the same Council meeting and became known as the Copenhagen Criteria. They require that candidate countries must have achieved

- stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities
- the existence of a functioning market economy as well as the capacity to cope with competitive pressures and market forces within the Union
- the ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union.

Even though it has been acknowledged, that “ NGOs can make an important contribution to the development of democracy and civil society in the candidate countries” <sup>8</sup>,

THERE ARE NO FURTHER OFFICIAL REQUIREMENTS REGARDING THE PROMOTION OF CIVIL SOCIETY IN ORDER TO FOSTER DEMOCRACY IN THE CANDIDATE COUNTRIES.

#### Therefore we call on the Governments of Candidate Countries

- to recognise and support the existence of NGOs, which should be seen as competent future partners

### 3.2. Pre-accession Strategy and Development Issues

The pre-accession strategy consists of 4 major pillars. These are formed by <sup>9</sup>

- the so-called Europe Agreements (with Central and Eastern European Countries) and Association Agreements (for Cyprus and Malta),
- the Accession Partnerships and National Programmes for the Adoption of the *Acquis communautaire*,
- pre-accession assistance like the PHARE and ACCESS programmes,
- the opening of European Community programmes and agencies.

The **Europe Agreements** cover trade-related issues, political dialogue, legal approximation and various other areas of co-operation and provide for progressive alignment with Community rules.

<sup>8</sup> The European Commission Discussion Paper: “ The Commission and Non-Governmental Organisations: Building a stronger Partnership” , p.4

<sup>9</sup> See “ Enlargement of the European Union – A historic opportunity” , European Commission 2001



The **Accession Partnerships** constitute the central instrument of the pre-accession strategy. Each country's Accession Partnership sets out clear priorities for further work until the accession. It also highlights the major instruments and financial resources available for the country. They are regularly up-dated in order to adjust the priorities and cover all pre-accession assistance available.

The **National Programmes for the Adoption of the *Acquis***, which are drawn up by the candidate countries, complement the Accession Partnerships. They set out in detail how the candidate country intends to fulfil the priorities of the Accession Partnership and to prepare itself for integration into the EU. They contain a timetable, and human and financial resources allocated for the priorities.

DEVELOPMENT CO-OPERATION CONSTITUTES NEITHER A PRIORITY FOR THE EU NOR FOR THE ACCESSION COUNTRIES IN THE PRE-ACCESSION STRATEGIES.

#### **We therefore call on the European Commission**

- to highlight the importance of development co-operation and policy as part of the external relations of the EU in the negotiation processes
- to increase the importance given to development co-operation and policy in all pillars of the pre-accession strategy

**Pre-accession assistance** is given e.g. via the PHARE programme. PHARE finances institution building and investment support. Institution building aims at helping candidates to adapt and strengthen the institutions, administration and organisations, which in the future will have the responsibility for the implementation and enforcement of Community legislation. Assigning EU experts to the candidate countries (under the so-called Twinning programme) is one of the special programmes trying to ensure the challenge mentioned above is met.

The so-called ACCESS programme is also part of PHARE and designed to strengthen civil society in the candidate countries in sectors relevant to implementation of the *Acquis*, in particular in the fields of environmental protection, socio-economic development and the social sector, where social integration of marginalized groups of the population is sought.

DEVELOPMENT CO-OPERATION HAS NO PRIORITY IN THE PHARE PROGRAMMES AND DOES NOT FORM PART OF THE ACCESS PROGRAMME.

#### **We therefore call on the European Commission**

- to include and highlight the importance of development co-operation and policy in pre-accession assistance programmes, especially in PHARE, including the ACCESS programme for civil society organisations in the accession countries
- to urgently pursue the active dissemination of information on application requirements and on the training programmes open for NGOs in candidate countries

**We call on the Member States of the EU and the Governments of Candidate Countries**

- to engage in common training activities, study visits, internships etc. related to the design, implementation, monitoring and evaluation of coherent development co-operation policies
- to launch and implement joint development co-operation projects in the global South

The **opening of EU Community programmes** for all candidate countries from Central and Eastern Europe is in progress in a wide range of areas, particularly in the fields of education, vocational training, youth, culture, research, energy, environment, small- and medium-sized enterprises and public health. The aim is to familiarise candidate countries with the way Community policies and instruments are put into practice and to facilitate exchanges e.g. students', scientists' and civil servants'.

THE BUDGET LINES FOR DEVELOPMENT NGOS TO SUPPORT DEVELOPMENT EDUCATION ACTIVITIES OR CO-FINANCE PROJECTS IN THE GLOBAL SOUTH HAVE NOT BEEN OPENED TO ACCESSION COUNTRY NGOS.

**We therefore call on the European Commission**

- to amend the general conditions of all budget lines open to NGOs, which support awareness raising, development education and the co-financing of projects in developing countries in order to allow access to NGOs from candidate countries

**3.3. Accession Negotiations and Development Issues**

The negotiation process determines the conditions under which each candidate country will join the EU. It is being conducted on the basis of 31 chapters covering all areas of the *Acquis communautaire*. They range from e.g. chapter 1 "Free movement of goods" over chapter 7 "Agriculture", chapter 13 "Social Policy" to chapter 30 "Institutions" and 31 "others".

The European Commission acts on behalf of all EU Member States, on the basis of an agreed common negotiating position for each chapter. These chapters are being discussed with each accession country separately, in order to guarantee a suitable pace depending on the complexity of the issues. Chapters are provisionally closed when the EU notes that no further negotiations are required and the country concerned agrees to implement and enforce the *Acquis communautaire* covered by that chapter.

Development issues form part of chapter 26 "External Relations". This chapter was provisionally closed with all 12 countries by the first half of 2001.



DEVELOPMENT CO-OPERATION IS NOT A DISTINCT CHAPTER OF THE ACCESSION NEGOTIATIONS.

#### **We therefore call on the European Commission**

- to give due consideration to development co-operation in the assessment of progress in chapter 26 “External Relations”

THERE IS NO OFFICIAL DOCUMENT OF THE EU DEFINING WHAT THE CANDIDATE COUNTRIES ARE EXPECTED TO ACHIEVE UPON ACCESSION IN THE FIELD OF DEVELOPMENT CO-OPERATION.

#### **We therefore call on the European Commission**

- to clarify the expected status of development co-operation and policy in candidate countries upon accession in an official communication document available to all interested parties

#### **We also call on the Governments of Candidate Countries**

- to formulate and adopt a national development policy and
- to clarify their intentions regarding their involvement in international development co-operation

### **3.4. Regular Reports and Development Issues**

Regular Reports are the Commission’s assessment of progress achieved by the candidate countries. They have been published annually since 1998 for each accession country. The Copenhagen Criteria are divided into Political Criteria, Economic Criteria and the Ability to Assume the Obligations of Membership. The latter covers the 31 chapters of the *Acquis communautaire*. According to the division of chapters, descriptive paragraphs inform about the state of progress, which is followed by an “overall” assessment and recommendations for each chapter. Each report concludes with a global assessment of the adoption of the *Acquis*. The Reports serve as a basis for the Council to decide upon the conduct of further negotiations.

THE REGULAR REPORTS PLACE ONLY LIMITED EMPHASIS ON THE PROGRESS MADE BY THE CANDIDATE COUNTRIES IN THE AREA OF DEVELOPMENT CO-OPERATION.<sup>10</sup> A COMPARISON OF THE REPORTS SHOWS THAT NO CONSISTENT CRITERIA RELATING TO DEVELOPMENT ISSUES ARE BEING APPLIED IN THE NEGOTIATION PROCESS.

#### **We therefore call on the European Commission**

- to stress the importance of the Regular Reports on the progress made in the area of development co-operation in the accession countries
- to issue an official document stating criteria for the infra-structural and policy needs of coherent development co-operation policies in the accession countries

<sup>10</sup> See Annex II for all candidate countries

#### 4. The role of Non-governmental Organisations (NGOs)

The current enlargement process is a challenging and ambitious project going beyond just the adoption of legislation and adaptation of administrative and judicial structures.

The European Union is founded on the principles of liberty, democracy, the rule of law, and respect for human rights and fundamental freedoms. One of these fundamental rights is the right of citizens to form associations, to pursue a common purpose and to participate actively in society. NGOs, being an active part of civil society, are therefore an important part of the EU and -when involved in policy making processes- can provide valuable support for a democratic system. This has also been acknowledged by the European Commission in its 1999 Discussion Paper *The Commission and Non-Governmental Organisations: Building a stronger partnership*: "By encouraging national NGOs to work together to achieve common goals, the European networks are making an important contribution to the formation of a "European public opinion", usually seen as a pre-requisite to the establishment of a true European political entity. This also contributes to promoting European integration in a practical way and often at grassroots level."

"In addition, civil society organisations can provide valuable support by promoting the values of citizenship, good governance, human rights, gender equality and participative democracy in society and the importance of a democratic system based on transparency, accountability, effectiveness and responsiveness." <sup>11</sup>

NGOs have long proven that they are in a position to foster trans-border co-operation and exchange among people who have grown up under different political systems and economic conditions and thus to promote integration. They have reached grass-root levels and provided a voice for those who otherwise would have gone unheard.

In the process of enlargement, the role of EU NGDOs is twofold. On the one hand, by co-operating with their counterparts in the candidate countries, NGOs are developing and improving their capabilities, as well as promoting and consolidating democracy, human rights and fundamental freedoms in the accession countries. On the other hand, support for the establishment of new NGDOs in accession countries will increase the availability of NGDO expertise there, which later on can result in important contributions to EU development policy discussions.

At the moment, not many NGOs in the candidate countries have the capacity and the financial means to implement projects abroad, to lobby their own government and EU institutions and thereby increase their expertise in the field of development co-operation.

<sup>11</sup> CLONG, Solidar, Aprovez, Europstep, EuronAid, VOICE, CIDSE: Reflection Document: The Role of Civil Society in the EU's Development Policy, June 2002 p. 5



CURRENTLY THERE ARE NO MEANS TO GROW THE OPERATIONAL CAPACITY AND FINANCIAL SUPPORT FOR ACTIVITIES IN DEVELOPMENT EDUCATION, AWARENESS RAISING AND DEVELOPMENT CO-OPERATION FOR EXISTING NGDOS, THUS HAMPERING THE ESTABLISHMENT OF NEW DEVELOPMENT NGOS IN THE CANDIDATE COUNTRIES. AND THERE IS NO OFFICIAL INVOLVEMENT OF OR STRUCTURED DIALOGUE WITH NGOS FORESEEN IN THE ENLARGEMENT PROCESS.

### **We therefore call on the European Commission**

- to provide financial support for the growth and creation of NGOs active in development education, awareness raising and development co-operation in candidate countries
- to stress the importance of involving NGOs not only in the formulation of coherent national development strategies, policies and structures, but also in the design, implementation, monitoring and evaluation of national development co-operation projects

### **And we call on the Governments of Candidate Countries**

- to create the structural, financial and legal pre-requisites for the promotion of development NGOs and their co-operation with the global South
- to involve development NGOs not only in the formulation of national development education and co-operation strategies, policies and structures, but also in the design, implementation, monitoring and evaluation of national development co-operation projects

### **Finally, we call on the EU NGDO Community**

- to maximize co-operation and exchange of information, experience, ideas and initiatives
- to invite NGOs from candidate countries to seminars, conferences etc
- to offer internships and visiting programmes to staff of candidate country NGOs
- to launch and implement joint projects in the global South with NGO partners from accession countries
- to invite interested organisations of accession countries to join their networks and awareness raising campaigns

The systematic involvement of civil society in the process of enlargement will be a decisive factor in creating a Europe open to the world, a Europe committed to the eradication of poverty and the promotion of sustainable economic, social and democratic development throughout the world.

## **5. Conclusion**

This policy paper has looked at the EU enlargement process with a special view towards EU development co-operation from the perspective of civil society. It has described the enlargement process itself and highlighted the potential consequences of not taking problems stemming from the neglect of taking development co-operation and policy into due account. As a result, it can be concluded that the negotiation process and the pre-accession strategy lack an international development perspective. Candidate countries have not been given official criteria or documentation on the infrastructure, policy or financial resources needed to fully participate in the European development policy and co-operation upon their accession to the European Union.

It is in this respect, that TRIALOG again calls on all stakeholders to seek an optimal degree of coherence between the enlargement process and development co-operation and policy. In order to ensure a strong and coherent enlarged Europe, which is committed to poverty eradication and the promotion of sustainable economic, social and democratic development throughout the world, development issues have to receive the attention foreseen in the Treaty of Amsterdam and civil society must be regarded as a serious partner, in the enlargement process and in all other areas of EU policy-making.

## Overview of TRIALOG's calls on all stakeholders:

### We call on the European Council

- to promote the establishment of a comprehensive external policy framework, which puts poverty eradication at the centre of all other EU policies that have an impact on developing countries (like Agriculture, Trade, Fisheries, Transport, Energy, Environment and External Relations)
- to ensure that geo-political or economic interests of the EU do not contradict or undermine the objectives of Development Policy

### We call on the European Parliament

- to inform candidate country parliamentarians of the legal basis and the main principles of the EU's development policy and humanitarian aid
- to include the issue of development co-operation and the vital role of NGOs in this area, in the regular meetings of the "Joint Parliamentary Committees" and the bi-annual "Meetings of the President of the European Parliament with the Presidents of the parliaments of the countries participating in the enlargement process"
- to open these meetings to NGO representatives or to arrange special sessions including NGO representatives in order to discuss European development co-operation and policy issues and its implications for candidate countries
- to invite members of candidate country parliaments to the meetings of the ACP-EU-Joint Parliamentary Assembly in order to prepare candidate countries for their accession to the Cotonou Agreement (the new ACP-EU Agreement) and to build links between the candidate countries and the ACP

### We call on the European Commission

- to inform candidate countries in detail of the Cotonou Agreement and the European Development Fund as well as its administrative and financial procedures and demands
- to prepare the participation of all candidate countries in the EU's development partnership relations with all other regional groupings (MEDA, ALA etc.)
- to highlight the importance of development co-operation and policy as part of the external relations of the EU in the negotiation processes
- to increase the importance given to development co-operation and policy in all pillars of the pre-accession strategy
- to include and highlight the importance of development co-operation and policy in pre-accession assistance programmes, especially in PHARE, including the ACCESS programme for civil society organisations in the accession countries



- to urgently pursue the active dissemination of information on application requirements and on the training programmes open for NGOs in candidate countries
- to amend the general conditions of all budget lines open to NGOs, which support awareness raising, development education and the co-financing of projects in developing countries in order to allow access to NGOs from candidate countries
- to give due consideration to development co-operation in the assessment of progress in chapter 26 "External Relations"
- to clarify the expected status of development co-operation and policy in candidate countries upon accession in an official communication document available to all interested parties
- to stress the importance of the Regular Reports on the progress made in the area of development co-operation in the accession countries
- to issue an official document stating criteria for the infra-structural and policy needs of coherent development co-operation policies in the accession countries
- to provide financial support for the growth and creation of NGOs active in development education, awareness raising and development co-operation in candidate countries
- to stress the importance of involving NGOs not only in the formulation of coherent national development strategies, policies and structures, but also in the design, implementation, monitoring and evaluation of national development co-operation projects

#### **We call on the Member States of the EU and on Governments of Candidate Countries**

- to engage in common training activities, study visits, internships etc. related to the design, implementation, monitoring and evaluation of coherent development co-operation policies
- to launch and implement joint development co-operation projects in the global South

#### **We call on the Governments of Candidate Countries**

- to recognise and support the existence of NGOs, which should be seen as competent future partners
- to formulate and adopt a national development policy and
- to clarify their intentions regarding their involvement in international development co-operation
- to create the structural, financial and legal pre-requisites for the promotion of development NGOs and their co-operation with the global South
- to involve development NGOs not only in the formulation of national development education and co-operation strategies, policies and structures, but also in the design, implementation, monitoring and evaluation of national development co-operation projects

#### **We call on the EU NGDO Community**

- to maximize co-operation and exchange of information, experience, ideas and initiatives
- to invite NGOs from candidate countries to seminars, conferences etc.
- to offer internships and visiting programmes to staff of candidate country NGOs
- to launch and implement joint projects in the global South with NGO partners from accession countries
- to invite interested organisations of accession countries to join their networks and awareness raising campaigns

ANNEX I

**Consolidated Version of the Treaty establishing the European Community**

**TITLE XX (ex Title XVII) DEVELOPMENT COOPERATION**

*Article 177 (ex Article 130u)*

1. Community policy in the sphere of development cooperation, which shall be complementary to the policies pursued by the Member States, shall foster:

- the sustainable economic and social development of the developing countries, and more particularly the most disadvantaged among them;
- the smooth and gradual integration of the developing countries into the world economy;
- the campaign against poverty in the developing countries.

2. Community policy in this area shall contribute to the general objective of developing and consolidating democracy and the rule of law, and to that of respecting human rights and fundamental freedoms.

3. The Community and the Member States shall comply with the commitments and take account of the objectives they have approved in the context of the United Nations and other competent international organisations.

*Article 178 (ex Article 130v)*

The Community shall take account of the objectives referred to in Article 177 in the policies that it implements which are likely to affect developing countries.

*Article 179 (ex Article 130w)*

1. Without prejudice to the other provisions of this Treaty, the Council, acting in accordance with the procedure referred to in Article 251, shall adopt the measures necessary to further the objectives referred to in Article 177. Such measures may take the form of multi-annual programmes.

2. The European Investment Bank shall contribute, under the terms laid down in its Statute, to the implementation of the measures referred to in paragraph 1.

3. The provisions of this Article shall not affect cooperation with the African, Caribbean and Pacific countries in the framework of the ACPEC Convention.

*Article 180 (ex Article 130x)*

1. The Community and the Member States shall coordinate their policies on development cooperation and shall consult each other on their aid programmes, including in international organisations and during international conferences. They may undertake joint action. Member States shall contribute if necessary to the implementation of Community aid programmes.

2. The Commission may take any useful initiative to promote the coordination referred to in paragraph 1.

*Article 181 (ex Article 130y)*

Within their respective spheres of competence, the Community and the Member States shall cooperate with third countries and with the competent international organisations. The arrangements for Community cooperation may be the subject of agreements between the Community and the third parties concerned, which shall be negotiated and concluded in accordance with Article 300.

The previous paragraph shall be without prejudice to Member States' competence to negotiate in international bodies and to conclude international agreements

**Treaty of Nice**

**New Title XXI – Relations with third countries**

*New Article 181a*

1. Without prejudice to the other provisions of this Treaty, and in particular those of Title XX, the Community shall carry out, within its spheres of competence, economic, financial and technical cooperation measures with third countries; such measures shall be complementary to those carried out by the Member States and consistent with the development policy of the Community.

Community policy in this area shall contribute to the general objective of developing and consolidating democracy and the rule of law, and to that of respecting human rights and fundamental freedoms.

2. The Council, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament, shall adopt the measures necessary for the implementation of paragraph 1. The Council shall act unanimously for the association agreements referred to in Article 310 and for the agreements to be concluded with the States which are candidates for accession to the Union.

3. Within their respective spheres of competence, the Community and the Member States shall cooperate with third countries and the competent international organisations. The arrangements for Community cooperation may be the subject of agreements between the Community and the third parties concerned, which shall be negotiated and concluded in accordance with Article 300.

The first subparagraph shall be without prejudice to the Member States' competence to negotiate in international bodies and to conclude international agreements.

Declaration to be included in the Final Act of the Conference on Article 181a TEC

The Conference confirms that, without prejudice to other provisions of the Treaty establishing the European Community, balance-of-payments aid to third countries falls outside the scope of Article 181a of this Treaty.



## ANNEX II

### Regular Reports 1999, 2000 and 2001 From the Commission on the Progress towards Accession

Overview on the paragraphs on "Development", dealt with under "External policies", resp. "External relations"

#### Bulgaria

##### 1999

"Bulgaria has continued to maintain good relations with developing countries and has frequently responded to requests for humanitarian aids. It has also taken part in initiatives of the international community for helping developing countries."

##### 2000

"Decisions on development and humanitarian aid are made by the Council of Ministers. At this stage no specific issues are to be highlighted in terms of administrative capacity over and above the analysis presented above in this report (*Section B.1.1. – Democracy and the rule of law – The executive*)."

##### 2001

In the field of development policy and humanitarian aid, Bulgaria has so far no specific budget allocation for these purposes. Decisions on development and humanitarian aid are made by the Council of Ministers. Bulgaria should ensure that preparations are made to ensure the administrative infrastructure (participation in EU committees and working groups) for development co-operation is in place upon accession.

For the purpose of Bulgaria's future financial contribution to the European Development Fund, Bulgaria's management of its national budget organisation and management of flow of funds to the EC budget is addressed under *Chapter 29 – Financial and budgetary provisions*.

#### Cyprus

##### 1999

No reference to "Development".

##### 2000

"Since the last regular report no major developments have occurred as regards bilateral agreements with third countries as well as development policy and humanitarian aid. The *acquis* for external relations consists mainly of Community legislation, which is directly binding on Member States and therefore generally does not require transposition into national law. ...

Concerning development policy and humanitarian aid, recently, regarding *humanitarian aid*, there has also been growing co-operation with international non-governmental organisations. This facilitates the provision of humanitarian assistance in the form of medicines, clothing and food aid.

Although there is not as yet a Ministry or Department dedicated to *development issues*, development aid and technical assistance are promoted through the Bilateral Political Affairs Division of the Ministry of Foreign Affairs. Internally, such assistance is coordinated and managed by the Planning Bureau, in co-operation with the ministries and services involved in each case."

##### 2001

In the field of development policy and humanitarian aid the co-operation with international non-governmental organisations has been continued. In the last year Cyprus granted € 539,000 as bilateral aid mainly to the Russian Federation, several countries of Central and Eastern Europe, South Africa and the Palestinian Autonomous Authority. Concerning development and humanitarian aid, responsibility rests with the Ministry of Foreign Affairs. The Planning Bureau is the competent authority for administering technical assistance and development policy. Although no difficulties in the participation in the various policy making and management bodies at different EU levels are expected, preparations should be made to ensure that administrative infrastructure for development co-operation in the EU framework is in place upon accession.

For the purpose of the Cyprus' future financial contribution to the European Development Fund, the Cyprus' management of its national budget organisation and management of flow of funds to the EC budget is addressed under *Chapter 29 – Financial and budgetary provisions*.

#### Czech Republic

##### 1999

"The Czech Republic's foreign development assistance consisted of humanitarian assistance of € 830,000 and foreign development assistance of € 9 million. Bilateral assistance accounts for two third of these amounts and multilateral assistance for one third.

As a member of the OECD since 1995, the Czech Republic is adapting its development practices to the principles laid down by the Development Assistance Committee."

##### 2000

"As regards the fields of development policy and humanitarian aid, co-operation and assistance, the Czech Republic is an active member of the OECD and it is adapting its development practices to the principles laid down by the Development Assistance Committee. ....

Development and humanitarian aid are administered by the Ministry of Foreign Affairs. At this stage no specific issues are to be highlighted in terms of administrative capacity in addition to the analysis presented in section 1.1. of this Report."

##### 2001

In the field of development policy and humanitarian aid, the Czech Republic is an active member of the OECD and it is adapting its development practices to the principles laid down by the Development Assistance Committee. The Interior and Foreign Ministries have together prepared a draft Scheme on Humanitarian Aid of the Czech Republic Abroad, which specifies the rules of co-operation and decision-making procedures in this field. The government has also adopted a Resolution initiating a study analysing the co-ordination and implementation by relevant Czech government ministries of foreign development aid in the years 1996-2000, with a view to formulating future policy in this area. Development and humanitarian aid are administered by the Ministry of Foreign Affairs.

For the purpose of the Czech Republic's future financial contribution to the European Development Fund, the Czech Republic's management of its national budget organisation and management of flow of funds to the EC budget is addressed under *chapter 29 – Financial and budgetary provisions*.

#### Estonia

##### 1999

"The State Budget includes a special budget line for financing the implementation of Estonian humanitarian and development projects (€ 460,000 for 1999). On 20 January 1999, the *Riigikogu* adopted the "Principles of Development Co-operation for the Years 1999-2000", which incorporates all basic principles laid down for humanitarian and development aid by the international organisations, especially the United Nations and the Organisation for Economic Co-operation and Development. The Government of Estonia supports the development co-operation strategy adopted by the OECD in May 1996.

Progress has also been made in the field of establishing necessary administrative infrastructure to efficiently implement the *acquis* and a special structural unit responsible for development co-operation has been created within the Ministry of Foreign Affairs."

**2000**

"In the field of development policy and humanitarian aid, Estonia has continued progress in the establishment of a development policy. In 2000, the Estonian humanitarian and development budget amounted to about € 0.47 million. Humanitarian projects carried out in 1999 were particularly targeted at the Balkan region. The Ministry of Foreign Affairs is responsible for the administration of external economic relations and development and humanitarian aid in Estonia. ... Estonia has very recently started to implement a genuine development policy. Up to now, progress has been made as regards the establishment of a development aid strategy, an administrative structure responsible and a budget allocation."

**2001**

As regards the fields of development policy and humanitarian aid, co-operation and assistance, Estonia's budget for 2001 amounts to € 0.47m (EEK 7m) which represents 0.01% of GDP. For the implementation of development co-operation initiatives, the Estonian government has made efforts to increase the involvement of non-governmental organisations. Projects have been particularly targeted at Ukraine, Georgia, Uzbekistan and Kyrgyzstan. Development and humanitarian aid are administered by the Ministry of Foreign Affairs. For the purpose of Estonia's future financial contribution to the European Development Fund, Estonia's management of its national budget organisation and management of flow of funds to the EC budget is addressed under *Chapter 29 – Financial and budgetary provisions*.

**Hungary**

**1999**

"Hungary has no special development policy, but 96% of all imports coming from developing countries receive trade preferences. GSP schemes exist for all products. Hungary has no specific budget for developing countries. The Ministry of Foreign Affairs has limited funds of € 80,000) which are mainly used for humanitarian purposes. Hungary should have no difficulties in applying the *acquis* in the field of development policy."

**2000**

"In the area of development, Hungary did not have a specific policy or budget, but 96% of all imports coming from developing countries received trade preferences. GSP schemes exist for all products. The Ministry of Foreign Affairs had limited funds of € 70,000 which were mainly used for humanitarian purposes, basically for third countries with a Hungarian minority. The Foreign Minister shares with the Economic Ministry the promotion of trade development and investments."

**2001**

As regards the fields of development policy and humanitarian aid, co-operation and assistance, Hungary has been an active member of the OECD since 1996 and it is adapting its development practices to the principles laid down by the Development Assistance Committee. For the implementation of humanitarian aid initiatives, the authorities co-operate with Non-Governmental Organisations established in Hungary. Development and humanitarian aid are administered by the Ministry of Foreign Affairs. For the purpose of Hungary's future financial contribution to the European Development Fund, Hungary's management of its national budget organisation and management of flow of funds to the EC budget is addressed under *Chapter 29 – Financial and budgetary provisions*.

The amount allocated for humanitarian aid is around HUF 20 million (around € 77,000). The largest recipients of Hungarian humanitarian assistance are located in Europe, in particular Hungarian communities living in countries neighbouring the Republic of Hungary. With regard to institution building in relation to development policy and humanitarian aid, the Ministry of Foreign Affairs is preparing an outline to the government. The outline will cover the setting up of a new unit, the determination of its duties and competencies, the objectives to be realised and the budgetary implications.

**Latvia**

**1999**

"Latvia has no specific budget allocation for development aid, but has granted development aid on a case-by-case basis. No GSP schemes are being applied by Latvia. In order to participate in EC Development policy upon accession, Latvia will have to upgrade its institutional structures."

**2000**

"In the field of development policy and humanitarian aid, Latvia has no specific budget allocation for development or humanitarian aid, but has granted aid on a case-by-case basis. ... As concerns development aid, no GSP schemes are being applied by Latvia."

**2001**

As concerns development policy and humanitarian aid, Latvia has no specific budget allocation for development or humanitarian aid, but has granted aid on a case-by-case basis. As concerns development aid, no GSP schemes are being applied by Latvia. The responsibility for foreign economic policy is shared by the Ministries of Foreign Affairs and of Economy. The department of trade policy within the Ministry of Agriculture deals with agricultural trade issues (including WTO matters). Some upgrading might be needed in order to have the necessary administrative capacity upon accession, also with a view to participating in the EU's development and humanitarian aid policies.

For the purpose of Latvia's future financial contribution to the European Development Fund, Latvia's management of its national budget organisation and management of flow of funds to the EC budget is addressed under *Chapter 29 – Financial and budgetary provisions*.

**Lithuania**

**1999**

"Lithuania currently does not apply a preferential trade regime to countries which are signatories to the Lomé Convention."

**2000**

"Development and humanitarian aid are administered by the Ministry of Foreign Affairs."

**2001**

No particular development can be reported as regards development policy and humanitarian aid. Regarding development policy, Lithuania needs to introduce the Generalised System of Preferences (GSP) in its trade with third countries and to prepare for future participation in the financing of the European Development Fund.

**Malta**

**1999**

"To date Malta has no development policy."



## 2000

"To date Malta has no development and humanitarian aid policy. ...

When it joins the EU, Malta will have to renounce its status as a developing country and will have to subscribe to the multilateral WTO agreements to which the Community is a party."

## 2001

During 2000, humanitarian aid was given to Kosovo, Albania, Turkey, Mozambique and Ethiopia. In the first half of 2001, funds were sent to earthquake victims in India and El Salvador.

The EU Directorate within the Ministry for Foreign Affairs regularly monitors all bilateral agreements that Malta is considering entering into with third countries, including Investment Guarantee Agreements. To date Malta has no development and humanitarian aid policy but it responds to humanitarian needs on a case-by-case basis.

## Poland

### 1999

"As reported in 1998 Poland continues to play a constructive regional and international role in the field of development. Poland is a member of the OECD but has not become member of its Development Assistance Committee."

### 2000

"In the field of development policy and humanitarian aid, Poland is an active member of the OECD and it is adapting its development practices to the principles laid down by the Development Assistance Committee. ... Development and humanitarian aid are administered by the Ministry of Foreign Affairs. At this stage no specific issues are to be highlighted in terms of administrative capacity in addition to the analysis presented above in this report (*B. Criteria for membership - 1.1. Democracy and the rule of law - The executive*)."

### 2001

With regard to development policy, co-operation and assistance, Poland is an active member of the OECD and it is adapting its development practices to the principles laid down by the Development Assistance Committee. For the implementation of humanitarian aid initiatives, the authorities co-operate with Non-Governmental Organisations established in Poland. Total bilateral and multilateral external assistance given by Poland to developing and Eastern countries in 2000 amounted to € 44M. Development and humanitarian aid are administered by the Ministry of Foreign Affairs.

For the purpose of Poland's future financial contribution to the European Development Fund, Poland's management of its national budget organisation and management of flow of funds to the EC budget is addressed under *Chapter 29 – financial and budgetary provisions*.

## Romania

### 1999

"There have been no specific developments."

### 2000

No reference is made to "Development"

### 2001

As regards development policy and humanitarian aid, Romania has neither institutions nor a policy framework for managing external assistance. Romania has, however, consistently provided emergency assistance following natural disasters in other countries. Development and humanitarian aid are also administered by the Ministry of Foreign Affairs.

## Slovakia

### 1999

"Slovakia grants 100% of customs preferences in their General Scheme of Preferences to the least developed countries."

### 2000

"In July 2000, the OECD invited Slovakia to become member of the organisation. ...

In the field of development policy and humanitarian aid, Slovakia does not have a comprehensive policy addressing developing countries."

### 2001

As regards the fields of development policy and humanitarian aid, co-operation and assistance, Slovakia is adapting its development practices to the principles laid down by the Development Assistance Committee. Further to the new Customs Act, which took effect in July 2001, Slovakia has further harmonised its Generalised System of Preferences with the EU system. The administrative capacity relevant to external relations is split among several Ministries, including the Ministries of Economy, Agriculture, Foreign Affairs and Finance.

## Slovenia

### 1999

"Slovenia has not yet defined which institution will take over the co-ordination of European Development Fund activities. At present no new institutions have been envisaged, although the chosen institution will have to be adequately reinforced."

### 2000

"Regarding humanitarian aid, Slovenia is involved in projects under the Stability Pact for Southeast Europe, for instance by providing health care in the context of SFOR and through the International Trust Fund of Demining and Mine Victims Assistance in Bosnia Herzegovina. ...

Regarding development policy and humanitarian aid, Slovenia should closely co-operate with the EU."

### 2001

Slovenia's development policy and humanitarian aid are mainly focussed on South Eastern Europe. The assistance funds made available by Slovenia in 2000 and 2001 were distributed as follows: Bosnia and Herzegovina 40%, Montenegro 25%, Macedonia 20%, Kosovo 10% and Albania 5%. The Ministry of Economy is currently in charge of assistance matters but a central authority responsible for development policy remains to be appointed.

For the purpose of Slovenia's future financial contribution to the European Development Fund, Slovenia's management of its national budget organisation and management of flow of funds to the EC budget is addressed under *Chapter 29 – Financial and budgetary provisions*.

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