



Brussels, 29.08.2017  
DEVCO [REDACTED]/pg  
*Approved on 13.09.2017*

## Final minutes of main conclusions

### **486<sup>th</sup> Meeting of the EDF Committee back-to-back with 152<sup>nd</sup> Meeting of the DCI Committee on the Pan-African Programme Brussels, 18 July 2017**

#### **CHAIR of the meeting**

Chair of the meeting [REDACTED]

#### **PARTICIPANTS to the meeting**

**DEVCO participants:** Units 04, A2, C3, D2, D3, D4, E2, R5

**EEAS participants:** Divisions AFRICA.1, GLOBAL.5

**MOVE participant:** Unit E4

**TAXUD participant:** Unit B4

#### **MEMBER STATES AND POPULATION (DCI)**

Total number of States present (qualified majority: 55% or 16 out of 28):

- **25** Member States present: BE, BG, CZ, DK, DE, EE, IE, EL, ES, FR, HR, IT, CY, LV, LU, MT, NL, AT, PL, PT, RO, SK, FI, SE and UK.

- Population represented: **496,077.47 or 97.11%** (x 1,000, 65% threshold: 332,059.46 out of 510,860.70).

#### **NUMBER OF VALID VOTES (EDF)**

Total number of votes present (qualified majority: 721 votes out of 1000 from at least 15 Member States): **996 votes** from **26 Member States**

Member States present: BE, BG, CZ, DK, DE, EE, IE, EL, ES, FR, HR, IT, CY, LV, LU, HU, MT, NL, AT, PL, PT, RO, SK, FI, SE and UK.

#### **RESULT of the meetings**

**The DCI Committee unanimously approved the following point on the agenda:**

1- Annual Action Programme 2017 on the Pan-African Programme for an amount of EUR 22.5 million.

**The EDF Committee unanimously approved the following points on the agenda:**

2- Annual Action Programme 2017 in favour of Sierra Leone for an amount of EUR 54.5 million.

3- Annual Action Programme 2017 Part 3 in favour of West Africa for an amount of EUR 29 million.

4- Individual Measure in favour of Guinea (Programme d'appui à la réforme du secteur de sécurité en Guinée (PARSS 3)) for an amount of EUR 17 million.

5- Individual measure in favour of Nigeria (Second Contribution to the African Investment Facility (AflF) in support of the Energy Sector in Nigeria) for an amount of EUR 65 million.

**The EDF Committee approved by qualified majority the following points on the agenda:**

6- Annual Action Programme 2017 in favour of Eritrea for an amount of EUR 78.9 million.

7- Programme for Transboundary Water Management in the Nile River Basin for an amount of EUR 10 million.

The Commission gave a presentation on the Evaluation of Joint Programming and informed about the forthcoming launching of a written procedure for the draft Commission decisions on the creation of the **Africa Investment Platform** and the allocation of EUR 400 million from EDF reserves to the European Fund for Sustainable Development (EFSD) Guarantee.

**ITEMS ON THE AGENDA**

**1. APPROVAL OF THE AGENDA**

The agenda was approved without modifications.

**2. APPROVAL OF THE MINUTES OF THE 485<sup>th</sup> EDF COMMITTEE MEETING OF 16 JUNE**

The minutes were approved without modifications.

**3. FOR OPINION**

**DCI**

**1. PAN-AFRICAN**

**Result:** unanimous positive opinion.

BE said that the Action Document on the EU contribution to the African Legal Support Facility (ALSF) does not mention how this action will ensure complementarity with other initiatives taken by the EU or other donors; on digital dividend, BE observed that COM has a comparative advantage in working on the legal framework, thus accompanying what it is done in the domain of infrastructure. According to BE, it would be interesting to determine which concrete applications to digital technology will be done in the project. On gender equality, BE wondered how it will be integrated in the project. UK announced that it is going to publish a strategy on working on digitalisation in developing countries and it is therefore keen on finding synergies with COM on the matter. ES saw the measures as fully in line with the roadmap adopted at the EU-Africa Summit; concerning the EU-Africa Safety in Aviation project, ES noted that Mozambique might be soon removed from the EU black list thanks to the enormous efforts that its civil aviation authorities have been doing; it would therefore be counterproductive not to fund Mozambique under this measure only because they are not on the list anymore. FR underlined the importance that the African Legal Support Facility respect legal traditions of each African country taking part to it. On Policy and Regulation Initiative for Digital Africa (PRIDA) – formerly known as Accessing the Digital dividend in Africa, FR asked more details on the expected results to which Sustainable Development Goals (SDGs) the measure is meant to contribute. PT joined ES on Mozambique and recommended that COM involves local authorities; moreover, PT invited COM to look for synergy with other donors as well as with bilateral and regional programmes. PT also asked that for all these continental programmes that have activities in specific countries, the concerned EU Delegation and EU Member States' representations at national level should be more systematically informed.

COM pointed out that Africa is currently based on mobile Internet and PRIDA is trying to solve the issue of access: a key part of the project is to get together the different stakeholders around Internet governance. PRIDA is not addressing gender equality directly but in broader terms generating sustainable growth and gender has been incorporated in specific objectives and indicators. Regarding the EU-Africa Safety in Aviation project, COM reassured MS that it intends to continue supporting the countries that have just gone out of the EU black list in order to ensure the sustainability of their improvements. The choice of targeted countries will be lead of course also by the eagerness of the partner countries and their political will. On the EU contribution to ALSF, the COM will be sitting in as an observer in the Governance Board of the Facility, alongside several Member States who are members of the ALSF, and will be also a member of the donors' table. Both these bodies will allow the EU (COM and MS) to highlight the links with its other relevant initiatives and will allow ALSF to look for further synergies and complementarities in their activities.

## **EDF**

### **A POINTS**

## **2. SIERRA LEONE**

**Result:** unanimous positive opinion.

The AAP 2017 in favour of Sierra Leone was approved without discussion.

## **3. WEST AFRICA**

**Result:** unanimous positive opinion.

The AAP 2017 Part 3 in favour of West Africa was approved without discussion.

#### **4. GUINEA**

**Result:** unanimous positive opinion.

The Individual Measure "Programme d'appui à la réforme du secteur de sécurité en Guinée (PARSS 3)" was approved without discussion.

#### **5. NIGERIA**

**Result:** unanimous positive opinion.

The Individual Measure "Second Contribution to the African Investment Facility (AfIF) in support of the Energy Sector in Nigeria" was approved without discussion.

### **B POINTS**

#### **6. ERITREA**

**Result:** positive opinion by qualified majority. EL and NL voted against.

NL expressed its appreciation for the FAIR project which takes into account the recommendations of the Universal Periodic Review (UPR) of the UN Human Rights Council; on the other hand, NL voiced its negative opinion on the REACH project. SE welcomed the continuous dialogue with the UN on human rights but called on COM to avoid overlap. IT remarked that the energy sector has a great potential to help the population. Concerning the letter of the European Parliament on the AAP on Eritrea, IT pointed out that the EP has no role in the decision-making of the EDF Committee. FR said to agree with the AAP but to be doubtful about the capacity of the Eritrean capacities to implement it, especially when it comes to the availability of spare parts and equipment in the long run. On the other hand, FR regretted that there was not more attention on renewable energy. EL praised the work of COM but declared to be very much concerned about the human rights situation in Eritrea; moreover, EL recalled the confiscation by the Eritrean authorities of the building where EL has its honorary consulate in Asmara; given the lack of the rule of law and of respect towards private properties, EL concluded that it could not vote in favour of the measure and suggested to postpone it. DE highlighted that the EU will have to monitor closely the progress of the Eritrean authorities in both the domain of energy and human rights but the formulation of the AAP is good. AT observed that the recommendations of the UPR remain a central part of the EU strategy towards Eritrea and suggested further support to the Office of the High Commissioner for Human Rights in Eritrea in order to ensure an appropriate implementation of the FAIR project. CZ lamented the lack of link with the Valletta Summit in both documents and asked whether the REACH project had drawn some lessons from the digitalisation project which ran under the 10<sup>th</sup> EDF.

COM pointed out the major impact that the REACH project can have on livelihoods and population in terms of food security and basic services; moreover, on-grid electricity can also have a major role in making hospitals running. Appropriate committee procedures are kept and the Commissioner is going to reply soon to the letter of the EP. Concerning the sustainability of REACH, during the development of the project COM gave a close look at it and it was also because of that that COM chose a hybrid system as the most effective way to

proceed. COM is of course concerned by the issue of EL property and the EU ambassador has already called for a joint demarche towards the authorities. Capacities are certainly an issue but the projects aim partly at building them. One key result of past projects is to have established a good relationship with the Ministry of Justice. There will be strong monitoring and evaluation components in both projects.

## **7. NILE RIVER BASIN**

**Result:** positive opinion by qualified majority. EL, CY and PT voted against. HR, LU, HU, MT, RO and SK abstained.

FR announced to be ready to vote in favour of the measure since COM and EEAS added a political declaration on the water management of the Nile River Basin, therefore promoting the constructive neutrality of the EU. ES also appreciated the text of the declaration and, in particular, three of the elements included in it: i) the emphasis put on the possibility for Egypt to participate in the programme although it is not part of the Nile Basin Initiative (NBI), ii) the availability of funding to meet the needs of all the riparian countries along the Nile; iii) the political neutrality of the programme. PT took the view that the project will not help in improving the relations between Egypt and the other riparian countries and proposed to postpone it until full reintegration of Egypt in the NBI. EL praised the efforts made by COM and recognised that the technical aspects of the project are sound; however, it believed its implementation cannot be successful without Egypt. According to EL, water management is an issue of survival for the riparian countries, so the consensus among them is absolutely necessary. Moreover, local ownership should be guaranteed. For all these reasons, EL joined PT in asking for a postponement. DK pointed out that the project is relevant for all the eleven riparian countries, it is a technical project and it is neutral; therefore, although COM should do everything in order to involve Egypt, it should go ahead. SE expressed support for the measure but insisted that further politicising should be avoided. In addition, the EU should guarantee the maximum transparency, in order to gain the trust of Egypt. According to SE, it will also be important that the data gathered are disseminated through academics, civil society and the media. Further political debate should find its place in the Council, in COAFR or MAMA. PL said to be favourable to the measure and that, if the process should be as inclusive as possible, it should not be dominated by one single country. HU recalled that the project should feed regional cooperation and not hostility and pointed out that water resources are under pressure because of climate change and population growth; having said that, HU preferred to abstain. MT joined EL and PT in asking for a postponement and explained that, if this is not possible, it will abstain. UK proposed an amendment in order to clarify inclusiveness but expressed its support. But approval does not set any precedent and we should try to ensure that all Nile states are fully supportive of any future programmes. BE announced its support, while HR underlined that Egypt is an important partner and preferred to abstain. AT recognised its sensitivity on the issue of water management but recalled that the EU did everything it could to reassure Egypt. RO also declared its abstention. IT objected that the EDF Committee could not take any political declaration on a legal basis, since this does not belong to the competences of the EDF Committee. The project is consistent with what the EU and its MS do in the region and IT said to be ready to support it; it will be, however, difficult to maintain a neutral position if the EU reasons on the basis of incentives. IT also highlighted that it is of paramount importance that the interests of downstream countries are taken into consideration as well. CY said to be on the same line as EL and announced its negative vote. BG, CZ, NL and DE expressed support, LU and SK declared their abstention.

The EEAS replied that the statement will be annexed to the minutes of the meeting and to the press release of the project but cannot be defined "political" as such, since it is merely

explaining the rationale behind the project. COM confirmed that it will continue working with Egypt and trying to involve it in the project. COM underlined that the programme has been substantially modified so as to make sure Egypt can fully participate and benefit from it. Since Egypt is not going to come back any time soon to the NBI, it makes no sense to further delay the adoption of the project, which in fact will indeed facilitate confidence building between riparian states. The alternative proposal for implementation with the eleven riparian countries bilaterally would not be manageable and the option of implementation through regional organisations would be challenged by insufficient adequate staffing. The Chair concluded that COM is going ahead on the basis of a positive opinion expressed by qualified majority.

#### **4. FOR INFORMATION**

##### **1. EVALUATION OF JOINT PROGRAMMING**

COM gave a presentation on the evaluation of Joint Programming (JP) together with EEAS. SE welcomed the report and pointed out that a joint evaluation is good even when there is no JP. According to SE, JP is relevant also for the regional context and it should be first and foremost tied to partner countries' preferences and not to those of EU MS agencies. FR noticed that the replacement of the programming document by JP does not come out so much from the evaluation and wondered how COM and EEAS see the matter. PT pointed out that it is a particularly useful exercise, at a time in which there is pressure on multilateralism and growing influence from actors such as emerging countries. Assessment, ownership and synchronisation should constitute the essential factor that the EU has to take into account with JP. According to PT, there are some open issues, like how to make progress when there is no clear agreement by partner countries or when not all MS are involved in taking decisions. PT recalled that JP is a voluntary process and flexibility is of paramount importance in this respect, as some sectors might not be covered by the exercise and there is the need for a case-by-case approach. Clear gains of the JP are certainly visibility and value-added.

COM recognised that so far JP has been applied only to bilateral cooperation and that the possibility to expand it to regional cooperation should be explored. Joint Implementation is another commitment and can be found in the European Consensus on Development; though it is linked to JP, it has not necessarily to be coupled with it. The role of partner countries and the consultation of civil society are aspects that need further reflection, as well as the way to align to National Development Plans (NDPs). JP helps in establishing a good division of labour and in enhancing policy dialogue. Some partner countries, like for example Cambodia, have already expressed their appreciation for JP.

##### **2. AFRICA INVESTMENT PLATFORM AND EFSD GUARANTEE**

With the EFSD Regulation soon entering into force, COM announced its intention to start its implementation before the end of the year. Two COM Decisions were part of a package that COM proposed in September 2016 to the EDF Committee, one on the creation of the African Investment Platform (AIP) and another on a contribution of EUR 400 million to the EFSD Guarantee Fund; those decisions will be adopted only once the Regulation enters into force. Since the Strategic Board of the EFSD is foreseen for the end of September, COM urgently needs the contribution of EUR 400 million to the EFSD Guarantee Fund.

BE asked to clarify the calendar. IT voiced some perplexity on the idea to give an opinion on a legal text which does not yet exist and expressed the wish to read the opinion of COM Legal Service. SE wondered how things can be arranged in order to ensure priority assistance to

fragile States. SE also added that good governance and the fight against corruption should be high on the agenda. FR recalled that the documents needed to be amended to integrate the comments of the COM Legal Service and the amendments that were proposed in the meantime. LV inquired on the links with the Neighbourhood Investment Platform. UK recognised the importance of the capacity-building component.

Concerning the AIP decision, COM agreed to process it at the occasion of the next EDF Committee after the entry into force of the Regulation, in order to align with DG NEAR. Regarding the contribution of EUR 400 million to the EFSD Guarantee Fund, COM explained that the intention is to start the written procedure at the end of July with the deadline at the end of August. COM Legal Service confirmed that the procedure is in line with the rules, as long as the adoption comes once the Regulation is entered into force; on this respect, IT insisted that the COM legal service opinion should be shared with the Committee. The Chair said that he needed to verify internally how to deal with this request. DG NEAR has already begun its internal process to mobilise the first EUR 25 million for EFSD guarantees. EEAS added that the priorities, including particular attention on fragile States, will be further determined by the Strategic Board, for which the first tentative date might be 29 September.

**VISA OF THE CHAIR: [REDACTED], ON 02/08/2017**