

Organisation of
African, Caribbean and
Pacific States (OACPS)



Organisation des États
d'Afrique, des Caraïbes et
du Pacifique (OEACP)

REFERENCE **OACPS/25/011/20**
[Final version] *esg*

Brussels, 17 December 2020

DECISIONS AND RESOLUTIONS
OF THE 111th SESSION OF THE OACPS COUNCIL OF MINISTERS
HELD BY VIDEO-CONFERENCE
ON 14, 15 and 17 DECEMBER 2020

esg

EN *esg*

SUMMARY

DECISIONS

- N° 1 Decision on the new Staff Regulations of the Secretariat of the OACPS**
- N° 2 Decision on the Employment Regulations for the local category staff of the Secretariat of the Organisation of African, Caribbean and Pacific States**
- N°3 Decision on the Restructuring process of the OACPS Secretariat**
- N° 4 Decision on the OACPS Budget for the Financial Year 2021**
- N° 5 Decision on the amendment on the Financial Regulations**
- N° 6 Decision on the Negotiations of a new OACPS-EU Partnership Agreement**
- N° 7 Decision on the Technical Centre for Agricultural and Rural Cooperation (CTA)**
- N° 8 Decision on the External Auditor's Report on the Financial Statements of the Secretariat of the OACPS for the financial year ended 31 December 2019**
- N°9 Decision on the Human Rights situation in West Papua**

RESOLUTIONS

- N°1 Resolution on the Fisheries subsidies negotiations at the World Trade Organisation (WTO)**
- N°2 Resolution on the European Union (EU) list of third countries at high risk for anti-money laundering and countering of the financing terrorism (AML/CFT)**

DECISIONS esa

DECISION N° 1/CXI/20
OF THE 111th SESSION OF THE OACPS COUNCIL OF MINISTERS
HELD BY VIDEO-CONFERENCE ON 14, 15 and 17 DECEMBER 2020

NEW STAFF REGULATIONS OF THE SECRETARIAT OF THE OACPS

The OACPS Council of Ministers,

- Meeting by video-conference on 14, 15 and 17 December 2020,

HAVING REGARD to the provisions of the Georgetown Agreement as revised by Decision N°1/CX/19 of the 110th Session of the ACP Council of Ministers, which entered into force on 5 April 2020;

HAVING REGARD to the Headquarters Agreement concluded between the ACP Group and the Kingdom of Belgium in April 1993;

RECALLING the decisions taken during its 103rd and 108th Sessions on the revision of the Staff Regulations;

HAVING REGARD to its Decision No. 8/CIX/19 mandating the Committee of Ambassadors to obtain a legal opinion, finalise the revision of the ACP Secretariat Staff Regulations, assess its financial implications, and report to the next Session of Council;

HEREBY DECIDES TO:

Endorse the provisions of the new Staff Regulations of the Secretariat of the OACPS, as contained in document **[ACP/41/095/20]**, and related annexes.

Done in Dodoma, Tanzania, 17 December 2020



Prof. Palamagamba John Aidan Mwaluko KABUDI (MP)
Minister for Foreign Affairs and East African Cooperation
of the United Republic of Tanzania
President of the OACPS Council of Ministers

DECISION N° 2/CXI/20
OF THE 111th SESSION OF THE OACPS COUNCIL OF MINISTERS
HELD BY VIDEO-CONFERENCE ON 14, 15 and 17 DECEMBER 2020

EMPLOYMENT REGULATIONS FOR THE LOCAL CATEGORY STAFF
OF THE SECRETARIAT OF THE ORGANISATION OF AFRICAN,
CARIBBEAN AND PACIFIC STATES

The OACPS Council of Ministers,

- Meeting by video-conference on 14, 15 and 17 December 2020,

HAVING REGARD to the provisions of the Georgetown Agreement as revised by Decision N°1/CX/19 of the 110th Session of the ACP Council of Ministers, which entered into force on 5 April 2020;

HAVING REGARD to the Headquarters Agreement concluded between the ACP Group and the Belgian Government in April 1993, in particular Articles 18 and 24;

RECALLING the decisions taken during its 103rd, 108th, and 109th Sessions on the revision of the Staff Regulations;

HAVING REGARD to the report of the Committee of Ambassadors on the new Staff Regulations [ACP/41/063/20];

HAVING REGARD to the report of the Committee of Ambassadors on the review of the OACPS Employment Regulations for locally-recruited staff [ACP/41/063/20];

HEREBY DECIDES TO:

Mandate the Committee of Ambassadors to consider and take all actions deemed necessary to finalise the Employment Regulations of the local category staff on Council's behalf.

Done in Dodoma, Tanzania, 17 December 2020



Prof. Palamagamba John Aidan Mwaluko KABUDI (MP)
Minister for Foreign Affairs and East African Cooperation
of the United Republic of Tanzania
President of the OACPS Council of Ministers

DECISION N° 3/CXI/20
OF THE 111TH SESSION OF THE OACPS COUNCIL OF MINISTERS
HELD BY VIDEO-CONFERENCE ON 14, 15 AND 17 DECEMBER 2020

RESTRUCTURING PROCESS OF THE OACPS SECRETARIAT

The OACPS Council of Ministers,

- Meeting by video-conference on 14, 15 and 17 December 2020,

HAVING REGARD to the provisions of the Georgetown Agreement as revised by Decision N°1/CX/19 of the 110th Session of the ACP Council of Ministers, which entered into force on 5 April 2020;

HAVING REGARD to Decision No.3/CX/19 of its 110th session held in Nairobi, Kenya, on 7 December 2019, during which the Committee of Ambassadors was mandated to commission a complete review of the Secretariat's structure;

HAVING REGARD to the Committee of Ambassadors' **Report [ACP/26/099/20 Rev.2]**;

HEREBY DECIDES TO:

Instruct the Committee of Ambassadors to finalise the Secretariat restructuring process and report to its next Council's Session.

Done in Dodoma, Tanzania, 17 December 2020



Prof. Palamagamba John Aidan Mwaluko Kabudi (MP)
Minister of Foreign Affairs and East African Cooperation
of the United Republic of Tanzania
President of the OACPS Council of Ministers

DECISION N° 4/CXI/20
OF THE 111th SESSION OF THE OACPS COUNCIL OF MINISTERS
HELD BY VIDEO-CONFERENCE ON 14, 15 and 17 DECEMBER 2020

OACPS BUDGET FOR THE FINANCIAL YEAR 2021

The OACPS Council of Ministers,

- Meeting by video-conference on 14, 15 and 17 December 2020,

HAVING REGARD to the provisions of the Georgetown Agreement 2019 as revised by Decision N°1/CX/19 of the 110th Session of the ACP Council of Ministers, and the Financial Regulations of the Secretariat of the OACPS;

RECALLING Decision No.3/CX/19 paragraph 2 of the 110th Session of the ACP Council of Ministers held in Nairobi, Kenya, on 7 December 2019 mandating the Committee of Ambassadors to commission a complete review for the Organisation's structure and to submit its report to the next session of the Council of Ministers;

HAVING REGARD to the OACPS Secretariat's Budget for 2020 [**Document ACP/45/007/19 Rev. 2**] as adopted by the Council of Ministers by Decision No. 7/CX/19 of the 110th Session of the ACP Council of Ministers held in Nairobi, Kenya, on 7 December 2019;

CONSIDERING the report of the Committee of Ambassadors to the 111th Session of the OACPS Council of Ministers meeting on the OACPS Budget for the financial year 2021 [**ACP/25/099/20 Rev 1**];

HAVING EXAMINED Article 5h of the OACPS Financial Regulations regarding the 'one-twelfth rule';

HEREBY DECIDES TO:

1. **Approve** the proposal to use the OACPS Budget for the financial year 2020 in financial year 2021, as provided under Article 5h of the OACPS Financial Regulations; and
2. **Mandate** the Secretariat to prepare the 2021 budget in the first quarter of 2021 and submit it to the next Council of Ministers Session.

Done in Dodoma, Tanzania, 17 December 2020



Prof. Palamagamba John Aidan Mwaluko KABUDI (MP)
Minister for Foreign Affairs and East African Cooperation
of the United Republic of Tanzania
President of the OACPS Council of Ministers

DECISION N° 5/CXI/20
OF THE 111th SESSION OF THE OACPS COUNCIL OF MINISTERS
HELD BY VIDEO-CONFERENCE ON 14, 15 and 17 DECEMBER 2020

AMENDMENT ON THE FINANCIAL REGULATIONS

The OACPS Council of Ministers,

- Meeting by video-conference on 14, 15 and 17 December 2020,

HAVING REGARD to the provisions of the Georgetown Agreement as revised by Decision N°1/CX/19 of the 110th Session of the ACP Council of Ministers, in particular Article 19 (3) and Article 17 of the Financial Regulations of the Secretariat of the OACPS;

RECALLING Decision No.6/CX/19 of the 110th Session of the ACP Council of Ministers held in Nairobi, Kenya, on 7 December 2019, mandating the Committee of Ambassadors to amend the relevant provisions of the Financial Regulations of the ACP Group , as set forth in document **[ACP/45/014/19]**;

CONSIDERING the report of the Committee of Ambassadors to the 111th Session of the OACPS Council of Ministers **[ACP/26/099/20 Rev. 2]**, especially paragraph 14;

HEREBY DECIDES TO:

Approve the amendments relevant to Article 17 of the Financial Regulations relating to the establishment of an Audit and Budget Committee.

Done in Dodoma, Tanzania, 17 December 2020



Prof. Palamagamba John Aidan Mwaluko KABUDI (MP)
Minister for Foreign Affairs and East African Cooperation
of the United Republic of Tanzania
President of the OACPS Council of Ministers

DECISION N° 6/CXI/20
OF THE 111th SESSION OF THE OACPS COUNCIL OF MINISTERS
HELD BY VIDEO-CONFERENCE ON 14, 15 and 17 DECEMBER 2020

NEGOTIATIONS OF A NEW OACPS-EU PARTNERSHIP AGREEMENT

The Council of Ministers of the OACPS,

- Meeting by video-conference on 14, 15 and 17 December 2020,

HAVING REGARD to the provisions of the Georgetown Agreement as revised by Decision N°1/CX/19 of the 110th Session of the ACP Council of Ministers, which entered into force on 5 April 2020;

HAVING REGARD to Decision No.2/CVII/18 of its 107th Session held in Lomé, Togo, from 30 May to 1 June 2018, adopting the ACP Negotiating Mandate;

HAVING REGARD to its previous decisions on the negotiations of a new OACPS-EU Partnership Agreements;

HAVING REGARD to the report of the Ministerial Central Negotiating Group contained in document [ACP/00/177/20];

NOTING that the initialing of the new Agreement is scheduled to take place at the end January 2021, marking the official conclusion of negotiations;

FURTHER NOTING that the signing of the new Agreement will take place towards the end of 2021;

HEREBY DECIDES TO:

1. **Adopt** the report of the Ministerial Central Negotiating Group as set out in document [ACP/00/177/20];
2. **Commend** the Ministerial Central Negotiating Group, the Ambassadorial Central Negotiating Group, and the OACPS Secretary General and his staff for the substantial agreement accomplished;
3. **Welcome** the political deal between the Parties reached on 3 December 2020 as announced by the Chief Negotiators;
4. **Endorse** the text of the new Agreement dated 7 December, subject to quality control and legal scrubbing;

5. **Mandate** the Chairman of the Ministerial Central Negotiating Group or his appointed representative to initial the new Agreement on behalf of the OACPS;
6. **Welcome** the extension of the application of the Cotonou Partnership Agreement until 30 November 2021 and **call** on the European Union to operationalise the Neighbourhood, Development and International Cooperation Instrument for the benefit of OACP States;
7. **Reaffirm** its decision that Apia, Samoa will be the venue for the signing of the new OACPS-EU Partnership Agreement; and
8. **Instruct** the Secretary General to convey this decision to the President of the European Council, the President of the European Commission, the President of the European Parliament and Heads of OACPS Regional Organizations.

Done in Dodoma, Tanzania, 17 December 2020



**Prof. Palamagamba John Aidan Mwaluko KABUDI (MP)
Minister for Foreign Affairs and East African Cooperation
of the United Republic of Tanzania
President of the OACPS Council of Ministers**

DECISION N° 7/CXI/20
OF THE 111th SESSION OF THE OACPS COUNCIL OF MINISTERS
HELD BY VIDEO-CONFERENCE ON 14, 15 and 17 DECEMBER 2020

TECHNICAL CENTRE FOR AGRICULTAL AND RURAL COOPERATION (CTA)

The OACPS Council of Ministers,

- Meeting by video-conference on 14, 15 and 17 December 2020,

HAVING REGARD to the provisions of the Georgetown Agreement as revised by Decision N°1/CX/19 of the 110th Session of the ACP Council of Ministers, which entered into force on 5 April 2020;

HAVING REGARD to the Cotonou Partnership Agreement , in particular Article 95 (4), second paragraph, which states that "the Council of Ministers shall adopt any transitional measures that may be required until the new agreement comes into force";

HAVING REGARD to Decision No.4/20 of the Extraordinary session of OACPS Council of Ministers, held by video-conference on 28 July 2020;

RECALLING the recommendations of the Committee of Ambassadors [ACP/26/099/20 Rev.2], in particular, paragraph 30;

CONSIDERING the extension of the Cotonou Partnership Agreement transitional measures to 30 November 2021;

HEREBY DECIDES TO:

1. **Endorse** the recommendation by the Committee of Ambassadors to extend the operations of the CTA and the term of office of members of the Executive Board from 31 December 2020 to 30 November 2021;
2. **Direct** the Committee of Ambassadors to seek the agreement of the EU side in line with the provisions of Article 95 (4); and

3. **Instruct** the Secretary-General to convey this decision to the President of the European Council and the President of the European Commission.

Done in Dodoma, Tanzania, 17 December 2020



**Prof. Palamagamba John Aidan Mwaluko KABUDI (MP)
Minister for Foreign Affairs and East African Cooperation
of the United Republic of Tanzania
President of the OACPS Council of Ministers**

DECISION N° 8/CXI/20
OF THE 111th SESSION OF THE OACPS COUNCIL OF MINISTERS
HELD BY VIDEO-CONFERENCE ON 14, 15 AND 17 DECEMBER 2020

**EXTERNAL AUDITOR'S REPORT ON THE FINANCIAL STATEMENTS OF
THE SECRETARIAT OF OACPS FOR THE FINANCIAL YEAR ENDED 31
DECEMBER 2019**

The OACPS Council of Ministers,

- Meeting by video-conference on 14, 15 and 17 December 2020,

HAVING REGARD to Articles 18a and 18f (iv) and (v) of the Financial Regulations (Note 1), an annual report from the External auditor for the year 2019 should have been submitted for approval by the Council of Ministers;

TAKING NOTE of the exceptional circumstances arising from the global response to the COVID-19 pandemic;

HEREBY DECIDES TO:

Approve the postponement of the submission of the External Auditor's report for the year ended 31 December 2019 at its next meeting in Year 2021, after all due procedures have been followed, in line with Article 18h of the Financial Regulations.

Done in Dodoma, Tanzania, 17 December 2020



Prof. Palamagamba John Aidan Mwaluko KABUDI (MP)
Minister for Foreign Affairs and East African Cooperation
of the United Republic of Tanzania
President of the OACPS Council of Ministers

DECISION N° 9/CXI/20
OF THE 111th SESSION OF THE OACPS COUNCIL OF MINISTERS
HELD BY VIDEO-CONFERENCE ON 14, 15 AND 17 DECEMBER 2020

HUMAN RIGHTS SITUATION IN WEST PAPUA

The OACPS Council of Ministers,

- Meeting by video-conference on 14, 15 and 17 December 2020,

HAVING REGARD to the Resolution of its 110th session held in Nairobi, Kenya, on 7 December 2019;

HAVING REGARD to the Committee of Ambassadors' Report [ACP/26/099/20 rev.2] of 10 December 2020;

ACKNOWLEDGING that, following the issuance of an invitation by Indonesia in February 2018, the timing, scope and make-up of a mission of the United Nations High Commissioner for Human Rights to independently assess the human rights situation in West Papua remains outstanding;

IN KEEPING with the OACPS's unwavering commitment to respect human rights, rule of law and democratic principles:

HEREBY DECIDES TO:

1. Endorse the proposal by the Committee of Ambassadors to have:

- i. The President of OACPS Council of Ministers write to United Nations High Commissioner for Human Rights (UNHCHR) requesting an urgent mission to West Papua to provide an evidence-based, informed report on the Human rights situation in that province as soon as possible;
- ii. The OACPS Secretary-General issue a Statement on the Resolution on West Papua making reference to the letter from the President of the OACPS Council of Ministers, once it is sent to the office of the UNHCHR.

- 2. Further Request** the Committee of Ambassadors to submit a report on this issue at its next meeting.

Done in Dodoma, Tanzania, 17 December 2020



**Prof. Palamagamba John Aidan Mwaluko KABUDI (MP)
Minister for Foreign Affairs and East African Cooperation
of the United Republic of Tanzania
President of the OACPS Council of Ministers**

RESOLUTIONS_{esa}

RESOLUTION N° 1/CXI/20
OF THE 111th SESSION OF THE OACPS COUNCIL OF MINISTERS
HELD BY VIDEO-CONFERENCE ON 14, 15 AND 17 DECEMBER 2020

THE FISHERIES SUBSIDIES NEGOTIATIONS AT THE WORLD TRADE ORGANISATION (WTO)

The OACPS Council of Ministers,

- Meeting by video-conference on 14, 15 and 17 December 2020,
- A. HAVING REGARD** to the decisions on Fisheries Subsidies of the 110th session of the Council of Ministers held in Nairobi, Kenya on 7 December, 2019 and the Eleventh Ministerial Conference (MC11) held from 10 to 13 December 2017 in Buenos Aires, Argentina;
- B. HAVING REGARD** to the Declaration of ACP Ministers in charge of fisheries and aquaculture adopted at their 6th meeting held in Apia, Samoa, 12 – 13 September 2019;
- C. REAFFIRMED** OACPS member countries commitment to the UN 2030 Agenda for Sustainable Development, including achieving the time-bound target 14.6 of SDG14 – *Life Below Water*;
- D. EXPRESSED** deep concern about the deleterious effects of these fisheries subsidies that contribute to overfishing and Illegal Unreported and Unregulated (IUU) fishing on the productivity of fisheries resources, with consequent risks and impacts to the food and job security of Member States;
- E. ACKNOWLEDGED** the commendable efforts and important work of OACPS negotiators to secure an outcome on fisheries subsidies rules at the WTO that adheres to established principles of consensus, transparency, balance and inclusiveness;
- F. CONVEYED** the challenges faced by the disruption caused by the COVID-19 pandemic and its devastating health and socio-economic impacts;
- G. REITERATED** the urgency to reach an outcome in the WTO to prohibit harmful fisheries subsidies that contribute to overfishing and overcapacity, and eliminate subsidies that contribute to Illegal Unreported and Unregulated (IUU) fishing;
- H. DESIROUS** of achieving a balanced outcome that positively impacts the health of fish stocks, ocean biodiversity and livelihoods;

1. **Expresses** its deep disappointment that a successful outcome to reach a fisheries subsidies agreement on harmful fisheries subsidies disciplines will not be realised in 2020, as had been foreseen by the SDG 14.6 under the universal 2030 Agenda for Sustainable Development;
2. **Calls** for renewed, intensified efforts by Members to close the existing gaps and to forge an agreement as soon as possible in 2021; and **emphasises** that any further delays in reaching a deal will continue to harm economies and coastal communities;
3. **Reiterates** the irreplaceable role of small-scale fisheries in providing employment, food security and livelihoods for the coastal communities of Member States; and **emphasises** that WTO rules should provide for sufficient flexibilities and should exclude the small scale fishing segment from the rules;
4. **Urges all Parties to** eliminate and, or redirect the billions of dollars spent on harmful subsidies annually to incentivise the operations of the large industrial fishing vessels, towards sustainable fisheries management conservation and small-scale fisheries as an important contribution for ocean biodiversity, and the improvement to millions of livelihoods that depend on it;
5. **Emphasises** that appropriate and effective special and differential treatment be accorded to Member States of the OACPS, including the protection of access fees, recognising that capacity building and technical assistance are critical elements required to strengthen OACPS Members' capacity to not only comply with WTO disciplines on fisheries subsidies but also to build their capacity to exploit their fisheries resources sustainably;
6. **Directs** that an outcome on fisheries subsidies negotiations does not prejudice the sovereign rights of members in their maritime space, nor include matters related to territorial disputes, and not encroach on national processes related to IUU and fish stock determinations.

Done in Dodoma, Tanzania, 17 December 2020

RESOLUTION N° 2/CXI/20
OF THE 111th SESSION OF THE OACPS COUNCIL OF MINISTERS
HELD BY VIDEO CONFERENCE ON 14, 15 AND 17 DECEMBER 2020

EUROPEAN UNION (EU) LIST OF NON-COOPERATIVE TAX JURISDICTIONS AND THAT OF THIRD COUNTRIES AT HIGH RISK REGARDING ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM (AML/CFT)

The OACPS Council of Ministers,

- Meeting by videoconference on 14, 15 and 17 December 2020,

- A. HAVING REGARD** to the provisions of the Georgetown Agreement as revised by Decision N°1/CX/19 of the 110th Session of the ACP Council of Ministers, which entered into force on 5 April 2020;

- B. HAVING REGARD** to the ACP-EU Cotonou Partnership Agreement, in particular Articles 8 and 12;

- C. HAVING REGARD** to the letters that the incumbent President of the Summit of Heads of State and Government sent to the Presidents of the EU institutions, as well as those sent by the Secretary-General to the EU Co-President of the OACPS-EU Council of Ministers regarding the list of high-risk countries that the EU has identified as having strategic deficiencies in their anti-money laundering and countering the financing of terrorism (AML/CFT) regimes;

- D. HAVING REGARD** to Decision No. 3/CXI/20 of 28 July 2020, of the OACPS Council of Ministers, extending the mandate of the Ad hoc Ministerial Contact Group on Tax Matters to also cover the issue of the EU List of Non-Cooperative Tax Jurisdictions and that of Third Countries, regarding anti-money laundering and countering the financing of terrorism;

- E. HAVING REGARD** to the European Commission's Action Plan for a comprehensive EU policy on preventing money laundering and terrorism financing;

- F. HAVING REGARD** to the European Commission Delegated Regulation (EU) 2020/855 of 7 May 2020;

- G. HAVING REGARD** to the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda on financing for development adopted by the United Nations General Assembly;

- H. HAVING REGARD** to the recommendations and the evaluation mechanism of the Financial Action Task Force (FATF);
- I. HAVING REGARD** to the previous resolutions on the EU's List of Non-Cooperative Jurisdictions for Tax Purposes, the reports of the Ad hoc OACPS Ministerial Contact Group, and those of the Committee of Ambassadors to the Council of Ministers on the EU's List of Non-Cooperative Tax Jurisdictions and that of Third Countries, regarding Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT);
- J. TAKING NOTE** of the EU's list dated 7 May 2020 of high-risk third countries with strategic deficiencies in their AML/CFT regimes and **noting** that ten (10) of the twenty (20) countries listed are OACPS Members;
- K. NOTING** that the EU compiled this list unilaterally without prior consultation with the OACPS or the countries concerned, that this approach is contrary to the spirit and letter of the ACP-EU Cotonou Partnership Agreement, and that the process used to evaluate AML/CFT regimes, leading to the publication of the list, was conducted in a discriminatory manner, with no transparency or dialogue;
- L. UNDERSCORING** the adverse and disastrous economic and financial effects of the EU's list on the OACPS countries concerned, as well as the serious and lasting damage to their image, honour, and credibility, even though OACPS countries are not the epicentre of money laundering and terrorism financing, which are a threat to the financial system;
- M. CONSIDERING** that the Organisation for Economic Co-operation and Development (OECD) and the Financial Action Task Force (FATF) are the only relevant bodies setting standards and rules on tax governance matters, anti-money laundering and countering the financing of terrorism standards and rules that are universally applicable and that the EU must fully align itself with them instead of publishing parallel lists;
- N. CONSIDERING** the commitments at the highest political level and the continued multi-dimensional efforts that the affected OACPS countries have made in order to be delisted, particularly by implementing action plans with the FATF to improve their AML/CFT regime;
- O. BEING AWARE** that the stakes of tax governance, anti-money laundering and countering the financing of terrorism include safeguarding the authority of the State, sustainable development, economic and political stability, and the integrity of national and international taxation and financial systems;

- P. RECOGNISING** that the fight against money laundering and the financing of terrorism is an immense global challenge that is undisputed, and that therefore, given the weak capacity of some countries, such a fight can only be overcome by joining efforts through partnership and dialogue in particular, with a view to exchanging information, intelligence and building human and institutional capacity for a coordinated response;
- 1. Reiterates** its deep commitment at the highest political level to ensure good governance on tax matters and its fight against money laundering and terrorist financing and to work constructively with the EU institutions, including together with the entities dealing with tax governance and AML/CFT issues;
 - 2. Appreciates** the technical assistance being provided by the European Commission and some EU Member States for human and institutional capacity building in order to support them in the fight against such criminal activities;
 - 3. Expresses** its deep concern for the unilateral, non-transparent and discriminatory approach adopted by the EU in publishing the list "of small developing countries" that the EU considers high-risk with strategic deficiencies in their anti-money laundering and counter-terrorism financing regimes, and its regret for EU failure to provide an appropriate response to the OACPS' call for political dialogue on this issue;
 - 4. Disagrees** with the EU's contention adding a country to the list does not constitute a sanction, and the use of misleading terms like "strategic deficiencies", which could imply that these deficiencies are planned, when, in fact, they are due to a lack of adequate human resources and relevant institutions in the capacity of members of the OACPS to effectively combat anti-money laundering and countering the financing of terrorism and ensure good governance in tax matters;
 - 5. Calls on** the EU to comply with and to apply the letter and the spirit of the ACP-EU Cotonou Partnership Agreement, to place a moratorium on the publication of the list including members of the OACPS considered high-risk with strategic deficiencies in their anti-money laundering and counter-terrorism financing regimes, and to engage in political dialogue with the OACPS, in accordance with Articles 8 and 12 of the Cotonou Partnership Agreement in order to find an equitable solution;

6. **Highly Regrets** the tightening of controls and the ineligibility of the entities established in the countries concerned for EU-financed instruments and guarantees, which seriously weaken those countries' capacity to mobilise resources for development finance and foreign direct investments;
7. **Urges** the OACPS to connect with those OACPS countries that are members of the FATF and to consider the possibility of taking part in the FATF's decision-making process on international standards;
8. **Invites** the Contact Group to organize a seminar moderated by competent experts involving the participation of capital based experts and Brussels-based OACPS Embassies, to *inter-alia* discuss the state of play and brainstorm on a concerted OACPS action on the issue of anti-money laundering and terrorist financing as well as Non Cooperative Tax jurisdictions; and to **request** that the seminar could additionally brainstorm on whether the unilateral action of the European Union to target non-EU Member States through its lists of on Anti Money Laundering and Countering the Financing of Terrorism as well as on Non Cooperative Tax Jurisdictions and which negatively impact the economies of the OACP States, is discriminatory and breaches international law, conventions or agreements;
9. **Invites** the EU and the OACPS to establish a joint policy framework for consultation and a joint international cooperation mechanism to coordinate dialogue and joint international actions and in this respect instructs the Ad hoc OACPS Ministerial Contact Group on the EU List of Non-Cooperative Tax Jurisdictions and that of Third Countries, regarding Anti-Money Laundering and Countering the Financing of Terrorism Financing to initiate the necessary action *vis-à-vis* the EU, FATF, OECD and UN, as appropriate, and to report at its next session; and
10. **Instructs** the President of Council to forward this resolution to the European Commission, the Council of the European Union, the European Parliament, the FATF, the OECD as well as the African Union Commission and the regional integration organisations.

Done in Dodoma, Tanzania, 17 December 2020