

Terms of Reference

Local and Regional Governments within the EU-ACP cooperation agreement Stock-taking and perspective for the post-2020

1. Context

1.1 The EU-ACP Partnership Agreement

Adopted in 2000, the EU-ACP Partnership Agreement (or Cotonou agreement)¹ is the institutional and operational framework for cooperation between the European Union and 79 countries of Africa, the Caribbean and the Pacific. It is one of the most extensive agreements, addressing development, economic and trade and political cooperation. It is also one of the few EU development agreements that **includes local and regional governments (LRGs) among the key stakeholders for its implementation**. In particular, since the revision of 2010, it recognises their “complementary role and potential for contribution”.

As actors that are explicitly recognised in the EU-ACP partnership, LRGs **are supposed to be informed and involved** in consultations, be provided with capacity-building support, with financial resources to support local development processes, and be involved in the implementation of cooperation projects and programmes². The agreement stipulates that LRGs play a role in the drafting and monitoring of the Country and Regional Strategy Papers.

Beyond the role of LRGs as development actors, the agreement additionally recognises the necessity of **capacity-building** of local governments, as well as the importance of the **decentralisation** process to foster local economic development, reduce inequalities within a country, and increase the participation of the population in the development process³.

LRGs from ACP states, as well as LRGs from the EU in the framework of decentralised cooperation can be **eligible to financial support** under Cotonou agreement⁴ in order to support projects and programmes contributing to the objectives of the agreement (e.g. institutional development and capacity building, development strategies, disaster preparedness, etc.)

The expiration of the Cotonou agreement on 29th February 2020 and the process to design the EU negotiation mandate set the momentum to assess if the EU-ACP agreement really delivered on its commitment to build on the complementary role of local and regional governments, to identify how to maintain the political recognition of LRGs in the future agreement, and how to practically improve their involvement in the next cooperation framework.

¹ The Cotonou agreement, signed in Cotonou on 23 June 2000, revised in Luxembourg on 25 June 2005, revised in Ouagadougou on 22 June 2010, and multiannual financial framework 2014-20; http://ec.europa.eu/europeaid/cotonou-agreement-consolidated-version_en

² The Cotonou agreement, article 4, p. 33

³ The Cotonou agreement, article 33 – 4 (d), p. 56

⁴ Cotonou agreement, article 58, p. 76

In the process leading to the negotiation of the future cooperation framework, the European Commission's various document (especially the evaluation⁵, and Communication⁶), the local dimension is largely absent. A feature causing local and regional governments and their associations to worry that their role would not be appropriately addressed in the coming negotiations with the ACP countries as they seem to be "out of the picture" in the process.

1.2 The PLATFORMA network

PLATFORMA is the network of local and regional governments (LRGs), and their associations, active in the field of development cooperation between Europe and partner countries. PLATFORMA has around 30 members: national, European and international associations, as well individual local and regional governments. The Secretariat is hosted by the Council of European Municipalities and Regions (more information on www.platforma-dev.eu).

Since its launch, PLATFORMA has actively engaged with the European institutions to inform and constructively participate in shaping the EU development policy with two main objectives; i. strengthening EU support to local governance in partner countries and, ii. strengthening EU support to decentralised cooperation as an implementation means of development cooperation.

In 2015, PLATFORMA signed a Strategic partnership with the European Commission Directorate General for International Development and Cooperation, whereby signatories commit to take actions based on common values and objectives to tackle global poverty and inequality, and to promote democracy and sustainable development.

As the EU-ACP partnership is the largest framework of development financing, the renegotiation process is a priority work stream for PLATFORMA.

2. Objective of the study

To position local and regional governments in the negotiation process towards a new partnership agreement between the EU and ACP group of countries, a thorough and factual argumentation is needed, illustrating the systematization of the successes and/or missed opportunities for local and regional governments to participate in the political and development pillars of the current agreement.

As such, the study will build and elaborate on the policy positions and claims that have been issued earlier by [PLATFORMA](#) and [UCLG-Africa](#). The conclusions should draw recommendations for the future partnership agreement to better involve local and regional governments, in particular in the design, implementation and monitoring of development cooperation programs and policies, while highlighting their critical added value in general to development and good governance.

Overarching objective of PLATFORMA's advocacy in the EU-ACP renegotiation process is to increase local and regional governments' participation in EU-ACP cooperation framework in order to improve governance and policy making in partner countries.

⁵ European Commission, High representative of the Union for Foreign affairs and security policy, Joint staff working document "Evaluation of the Cotonou Partnership Agreement", Brussels 15th July 2016, SWD(2016)250, https://ec.europa.eu/europeaid/sites/devco/files/evaluation-post-cotonou_en.pdf

⁶ European Commission, High representative of the Union for Foreign affairs and security policy, Joint Communication to the European parliament and the council "A renewed partnership with the countries of Africa, the Caribbean and the Pacific, Strasbourg 22nd November 2016, JOIN(2016)52, https://ec.europa.eu/europeaid/sites/devco/files/joint-communication-renewed-partnership-acp-20161122_en.pdf

Final objective of the study: Strengthen local and regional governments' capacities to influence the negotiation process of the future cooperation agreement between the EU and ACP countries after 2020.

Specific objective 1: fact-based analysis of the role and involvement of local and regional governments in the current EU-ACP Partnership Agreement

Specific objective 2: empower local and regional governments (organized in PLATFORMA, CLGF, AIMF, UCLG and national associations of local and regional governments) to position for the negotiations for a future agreement between EU and ACP countries through the research process and by delivering specific conclusions and the recommendations.

To this end, the study should aim to respond to the overarching question of how local and regional governments have been part of the political dialogues at national and ACP level?

- What are the prerequisites for LRGs to be involved in the policy dialogue (information, capacity, specific spaces to facilitate their involvement), and were these prerequisites addressed by the Cotonou agreement in practice?
- Did it allow local and regional governments to have access to decision making as regards the design, implementation and evaluation of development strategies funded by the EDF on decentralization, local governance and local development?
- Was it followed by concrete results for local governments, more specifically involvement in Policy dialogue and access programmes funded by EDF and targeted at local governments (including decentralisation and capacity building of LRGs and their associations)?
- What are the achievements and shortcomings of the ACP Local governments' platform? is it a relevant forum to enhance LRGs' involvement in the Partnership Agreement, and if yes, how could it be strengthened to become effective?
- Has decentralized cooperation helped strengthening direct relations between European and ACP local governments and citizens?⁷
- Has decentralized cooperation contributed to increase the policy capacities of ACP local governments to influence national, regional and European development policies⁸

3. Scope of the study:

- The study will focus on the contribution of local and regional governments to the political and development pillars of Cotonou agreement between EU and ACP countries and does not aim at assessing the broader issue of the shape and characteristic of a future cooperation framework.
- The study should cover the three regional groupings and deliver recommendations that are relevant for the future framework as a whole. However, the methodology will be to focus on a limited number of case studies on countries to be jointly defined with the contractor and with the global organizations partners of PLATFORMA: UCLG, AIMF and CLGF (suggestions of countries can be included in the proposal answering these ToRs)
- In the research (data collection) and in the analysis, it is expected the researcher actively includes
 - **Associations of local and regional governments in ACP countries and in EU member states.** These associations, in turn, can facilitate contact with local governments that have direct experiences in the EU-ACP framework. (through its wide networks, PLATFORMA, UCLG, AIMF and CLGF will facilitate contact with these actors on the ground)
 - **Institutional Partners such as** European Union delegations in the identified ACP countries, ACP secretariat in Brussels, National Authorizing Officers in the identified ACP countries, ACP Local governments platform, Focal points within regional organizations (African Union, UEMOA, ECOWAS, ASEAN),
 - **Academia:** research centers on EU-ACP relations, in particular previous researches done by the ECDPM

⁷ For this specific question, it will be needed to reach directly local governments

⁸ idem

4. Expected outcomes:

- Build fact-based arguments on how the current Cotonou agreement has contributed (or not) to strengthen the involvement of LRGs in EU-ACP relations and contributed to improved local governance (compare results to commitments)
- Identify the shortcomings of the current cooperation agreement, as well as the mechanisms that have worked or can reasonably be expected to work in a future agreement to support LRGs involvement in the EU-ACP relations (e.g. policy dialogue between European and African LRGs. as it exists for Parliamentarians and Civil Society).
- Build concrete, grounded proposals on ways of not losing the growing recognition of local and regional governments as development actors in a new EU-ACP agreement and support their involvement –through adequate consultation mechanisms- in the design, implementation and evaluation of development strategies at country and regional levels (regardless the form a future agreement would take)
- Build concrete proposals for support LRG's involvement in future framework of cooperation at different levels (local, national and regional) and recommendations to improve the contribution of local and regional governments in the new cooperation framework to support sub-national development strategies.

5. Expected deliverables and timeline:

The result of the study should be available by summer 2017 in order to influence the process of the negotiation mandate. The researcher is expected to engage the PLATFORMA political council that meets on 25 April 2017 and present first results on the occasion of the European Development Days (7-8 June 2017).

- Experts' participation in work-sessions (minimum)
 - Policy Forum on Development 22 March 2017, Brussels (optional)
 - PLATFORMA political council 25 April 2017, Brussels
 - European Development days 7-8 June 2017, Brussels
- Animate group working sessions (possibly online) with a core group of PLATFORMA members
- Minimum one webinar (1h minimum) with PLATOFRMA partners to present the research process and results – including introduction to the EU-ACP process
- Policy brief (max 25p) with the research process, key research results and clear recommendations. Final report should be available no later than 1 August 2017.
- Detailed report of the research and analysis (max. 50p)

All draft documents will be delivered in French or English and the final documents in both languages.

6. Contracting process:

Interested parties are invited to send the following documents no later than 14 March 2017, 18.00 to Platforma.Policy@cce-ccmr.org. PLATFORMA will analyses the proposals on 15 March after which telephone interviews could be scheduled in that same week.

The proposal must include:

1. Cover letter resuming approach and experience
2. CV of the proposed researcher(s)
3. Detailed price quotation (including unit prices per deliverable and/or proposed activity)

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With the support of the European Commission



4. Methodological note (max 3p) – including a clear timeline

The applicant can base her/his proposal on the following suggested items (for indicative purpose only).

- Analysis of preliminary enquiries to local and regional governments or associations in ACP countries (partners of AIMF, CLGF and UCLG and PLATFORMA)
 - o What is your experience of participation in the Political Dialogue under the ACP-EU cooperation framework in your country?
 - o Have you contributed to the design of projects funded by EDF?
 - o Have you been in contact (consulted or proactively reached out for) with the National Authorizing Officer in your country?
 - o How would you assess the benefit of the development pillar of the Cotonou agreement for local and regional governments in your country?
- Survey/interviews with the institutional partners
- Identify countries for comparative case studies: examples where the Cotonou framework achieved positive results for local and regional governments (e.g. Uganda support to decentralization) and where it faced shortcomings (e.g. Ghana)
- Survey/interviews of local and regional governments and association (March-June 2017, including in the framework of PFD global meeting (21-22 March); possible work-session with other stakeholders?)
- Extensive comparative case study, analysis and conclusions.
- Finalization and dissemination of results

Note that applicants must be:

- An individual, regardless of gender, and in possession of her/his full civil and political rights. S/he must not have been convicted by any law enforcement organisation, civil, criminal or judicial body and possess permit to work in the European Union.

Or

- Non-Governmental Organization; research institution, association legally constituted, or experienced small or medium sized consultancy agency. The organization must not have been subject to legal or fiscal procedures implying any irregularity by any law enforcement organisation, civil, criminal or judicial body and possess all necessary legal permits to work in the European Union.

The applicant must be able to communicate fluently (written and orally) in both English and French.