4th ACP-EU Convention: Protocol governing the accession of the Republic of South Africa

1997/0108(AVC) - 12/03/1997 - Legislative proposal

OBJECTIVE: to approve the protocol governing the accession of South Africa to the Fourth Lomé Convention as revised by the Mauritius Agreement of 4 November 1995. SUBSTANCE: the draft Council common position provides for South Africa to have 'qualified membership' of the revised Lomé IV, which essentially includes the following points: - South African participation in all the Lomé institutions and in all areas of ACP-EU cooperation, - its eligibility for all instruments under the Convention (including the aid referred to in Article 255 of the Convention concerning refugee assistance), except for European Development Fund resources and trade preferences, - participation by South African firms in tenders for projects financed by the EDF in all the ACP States on the same terms as European firms (in the case of South Africa, there will be no 'ACP preference' for EDF tenders, as is the case with other ACP countries). On the technical side, South Africa accepts: - the trade exclusion clause (South Africa will not benefit from the Lomé provisions regarding trade preferences), - the non-execution and human rights clause (South Africa initially wished to add a unilateral declaration in this area, but then withdrew its request), - an article on toxic waste (South Africa has fully accepted the rules imposed on the other ACP countries in this area), - an article on fisheries (South Africa confirms its willingness to negotiate a fisheries agreement with the Union), - an article on maritime transport (South Africa accepts the principle of unrestricted access to maritime transport on a commercial basis). Where cumulation of origin and access to tenders financed by the 7th EDF are concerned, a 'procedural agreement' will have to be reached at a later date. Finally, the draft common position includes a clause designed to facilitate South Africa's accession to the revised Lomé IV, which is currently undergoing ratification by all the signatory States. The aim is to avoid a new, lengthy and cumbersome approval procedure specifically for South Africa's accession to Lomé and thus to enable the protocol governing South Africa's accession and the revised Lomé IV to enter into force simultaneously.