

On 15 November 2023, the European Union (EU) and its Member States, on one side, and the Organisation of African, Caribbean and Pacific States (OACPS) on the other, [have signed](#) the much-awaited Post-Cotonou Agreement, also known as Samoa Agreement, by the name of the country where the Agreement was concluded. The Post-Cotonou Agreement is a comprehensive framework agreement that will govern the future relations between the EU and OACPS for the next twenty years. The OACPS is

a

[regional group](#)

established in 1975

with the

Georgetown Agreement (

[revised in 2019](#)

)

. It comprises

79 Member States from three different geographical areas (Africa, Caribbean and Pacific) which previously

formed the African, Caribbean and Pacific (ACP) group of countries. For Africa, its members include 48 African countries, and more precisely all Sub-Saharan countries except South Sudan, while South Africa one year ago announced its

[intentions](#)

to leave the group, a decision that so far has not yet materialised. The five North African countries (Morocco, Algeria, Tunisia, Libya and Egypt) are also not part of this organization. The ACP group became the Organisation of African, Caribbean and Pacific States, or OACPS in April 2020

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The post-Cotonou Agreement will replace the Cotonou Agreement, set to expire already in February 2020, but

*de facto*

extended until its replacement with the new Agreement.

Negotiations for the new Post-Cotonou agreement started in 2018 and were completed on 15 April 2021, with the [agreed text](#) initialed on the same date by the Chief Negotiators for the two parties, i.e., the Minister of Foreign Affairs of Togo in representation of OACPS countries and the European Commissioner for International Partnerships (INTPA) for the EU.

Samoa's proposal to host the signing ceremony was approved by the OACPS Council of Ministers in 2019 and further endorsed by OACPS Heads of State and Government at their 10th Summit held in Luanda, Angola in December 2022, with the adoption of the [Luanda Declaration](#).

The Samoa Agreement aims to strengthen cooperation between the EU and its Member States and the OACPS countries, focusing on key priorities for partnership that go well beyond trade, as they include many other areas that were not covered by the Cotonou Agreement. The new Agreement is complemented by 3 regional Protocols, each one applicable to a geographical region (Africa, Caribbean and Pacific), with a set of provisions tailored to the specific needs of each one. Also, the Agreement foresees the creation of an OACPS Joint Parliamentary Assembly as a consultative body mandated with the task to provide recommendations for achieving the objectives of the Agreement, plus three Parliamentary Assemblies for each of the regional blocs above, responsible to adopt resolutions and discuss any issue covered in their respective Protocols. For Africa, the relevant Regional Protocol identifies the areas where the cooperation between the two continents will focus as follows: inclusive and sustainable economic growth and development, human and social development, environment, natural resources management and climate change, peace and security, human rights, democracy and governance, and migration and mobility, with the possibility to expand their cooperation on other areas of engagement by mutual consent. Particularly important is art. 3 of the Protocol on Africa, which emphasizes the objective of fostering interconnections and strategic linkages between the EU and Africa, an objective for which the EU recently adopted the [Global Gateway](#) program. Global Gateway embodies the connectivity strategy of the EU and is aimed at promoting improved links with Africa and other countries around the world in the areas of digital, energy and transport. The same article also formalizes at para 3 the EU support in implementing the African Continental Free Trade Area (AfCFTA) and the Abuja Treaty on the creation of the African Economic Community (AEC).

The reason why the Post-Cotonou Agreement is important is that it will provide a more solid legal basis for the Economic Partnership Agreements (EPAs) that the EU concluded or is currently negotiating with the OACPS. All the OACPS countries, with the exception of Cuba, signed in 2000 the Cotonou Agreement, which for over 20 years has framed the EU's policy of development cooperation with such States. The Cotonou Agreement recognised at art. 37 the possibility for such countries to negotiate specific development-oriented free trade arrangements aimed at promoting sustainable development and poverty reduction, the gradual

integration of their economies into global markets, regional integration processes, and their ability to leverage trade opportunities for economic growth. These Agreements, indeed, are the EPAs. The new agreement contains a similar provision at art. 50, which recognises the right of each Party to enter into trade arrangements to achieve greater trade opportunities and foster their effective integration into the global economy. The same article also mentions the possibility to enter into regional or multilateral regional arrangements for reduction or elimination of non-tariff measures affecting trade in goods and services.

The post-Cotonou Agreement will provisionally come into force on 1 January 2024, but will become binding only after completion of the national ratifications or internal implementation procedures by the EU and at least 2/3 of its signatories, as established by art. 98.2 of the Agreement. However, 35 OACPS countries, including two member States of the EU (Hungary and Poland) refused to sign, due to disagreements on some provisions in the Agreement, such as those on gender equality, which according to some countries would encourage homosexuality, punished as a crime in their respective legal systems.