

**ACP/27/005/00 Rev.16**  
*Legal Service/NJB/mgf*  
**[Final Version]**

**Brussels, 28 November 2003**

## **THE GEORGETOWN AGREEMENT**

**As amended by Decision No.1/LXXVIII/03  
of the  
78<sup>th</sup> Session of the Council of Ministers,  
Brussels, 27 and 28 November 2003**

**PREAMBLE**

THE GOVERNMENTS OF THE AFRICAN, CARIBBEAN AND PACIFIC STATES, hereinafter referred to as “the ACP States”;

DESIROUS OF CONTRIBUTING through continuous and concerted endeavours to the reinforcement of the process of solidarity of developing countries;

HAVING REGARD to the ACP - EEC Lomé Conventions and the ACP-EC Partnership Agreement signed on 23 June 2000 in Cotonou, hereinafter referred to as the ACP-EC Partnership Agreements;

HAVING REGARD in particular to the Suva Declaration, the Montego Bay Plan of Action and the Harare Declaration on intra-ACP Cooperation;

TAKING INTO ACCOUNT the conclusions of the Summits of Heads of State and Government of ACP *States* held at Libreville on 6 and 7 November 1997 and at Santo Domingo on 25 and 26 November 1999;

AWARE of the profound changes in the international, political and economic environment;

REAFFIRMING their commitment to the respect for human rights and the rights of peoples, democratic principles and the rule of law;

DESIROUS of consolidating and reinforcing the existing solidarity and unity of the ACP States, and of promoting improved cooperation between their peoples on the basis of interdependence, complementarity and mutual interest;

DETERMINED to promote and develop greater and closer trade, economic, political, social and cultural relations between the ACP States;

RESOLVED to ensure a firm foundation in their respective countries for human-centred, equitable and sustainable development;

RECOGNISING the importance of regional integration, intra-ACP cooperation and cooperation among ACP and other developing countries as a means of promoting the socio-economic development of the ACP States;

CONVINCED that the realization of sustainable development, the eradication of poverty, illiteracy and disease as well as the gradual and smooth integration of the ACP States into the global economy are legitimate objectives reflecting the aspirations of our peoples;

DETERMINED to ensure that the ACP-EC Partnership Agreements contribute to the realization of the common aspirations of developing countries, to self-reliant, endogenous and self-sustained development based on their systems of cultural and social values;

COGNISANT of the need to maintain and expand multifaceted relations with other States, groups of *States* and international organisations;

RECOGNISING the importance of solidarity and unity in cooperation among the ACP States;

DESIROUS of enhancing the political identity of the ACP *Group* to enable them to act and speak with a single voice in all international fora and organisations, and

RESOLVED to establish the African, Caribbean and Pacific Group of States to achieve common objectives so as to contribute towards the realization of a new, fairer and more equitable world order;

HAVE AGREED as follows:

## **CHAPTER I**

### **MEMBERSHIP AND OBJECTIVES OF THE ACP GROUP**

#### **Article 1**

##### **The ACP Group**

1. There is hereby established the African, Caribbean and Pacific Group of States, designated “the ACP Group”.
2. The Members of the ACP Group shall be the African, Caribbean and Pacific States party to this Agreement or to the ACP-EC Partnership Agreement.
3. Accession to the ACP Group shall be in accordance with Article 28 (1) of this Agreement.
4. The ACP Group shall be organised on the basis of six geographical regions, namely Central Africa, East Africa, Southern Africa, West Africa, the Caribbean and the Pacific.
5. The ACP Group shall have legal personality. It shall have the capacity to contract, acquire, and dispose of movable and immovable property and to institute legal proceedings.

#### **Article 2**

##### **The Objectives of the ACP Group**

The main objectives of the ACP Group shall be to:

- a) ensure the realisation of the objectives of the ACP-EC Partnership Agreements in particular, the eradication of poverty, sustainable development and the smooth and gradual integration of ACP States into the world economy;
- b) co-ordinate the activities of the ACP *Group* in the implementation of the ACP-EC Partnership Agreements;
- c) promote and strengthen unity and solidarity among the ACP States, as well as understanding between ACP peoples;
- d) consolidate, strengthen and maintain peace and stability as a precondition for improving the well-being of ACP peoples in a democratic and free environment;

- e) contribute to the development of greater and closer economic, political social and cultural relations among developing countries and, to that end, cooperation between the ACP States mainly in the fields of trade, science and technology, industry, transport and communications, education, training and research, information and communication, the environment, demography and human resources ;
- f) promote policies especially in the areas of the environment and the rational management of natural resources, in pursuit of sustainable development ;
- g) promote and reinforce intra-ACP regional integration so as to enable ACP States to increase their competitiveness and to meet the challenges of globalization;
- h) strengthen relations with the European Union with the aim of speeding up the development of ACP States;
- i) define a common stand for the ACP vis-à-vis the European Union on matters covered by the ACP-EC Partnership Agreements and on the issues tackled by international bodies likely to affect the implementation of the ACP-EC Partnership Agreements;
- j) aim for the promotion of a fairer and more equitable new world order;
- k) strengthen the political identity of the ACP Group to enable it to act as a coherent political force in international bodies and to ensure that due regard is accorded its specific interests;
- l) promote and reinforce political dialogue within the ACP Group so as to consolidate ACP unity and solidarity;
- m) engage in effective and meaningful political dialogue at the appropriate levels with the European Union in order to strengthen ACP-EC Partnership;
- n) contribute to strengthening regional mechanisms for the prevention, management and peaceful settlement of conflicts and by pursuing and developing cooperation between ACP States and third States, and;
- o) establish contacts and relations with other States and groups of States.

## **CHAPTER II** **ORGANS OF THE ACP GROUP**

### Article 3

The decision-making bodies of the ACP Group shall be:

- a) the Summit of Heads of State and Government, hereinafter referred to as the Summit, which shall be the supreme organ;
- b) the Council of Ministers; and
- c) the Committee of Ambassadors.

### Article 4

There shall be a Secretariat of the ACP Group which shall be headed by a Secretary General.

### Article 5

An ACP Parliamentary Assembly may, in due course, be established.

Pending the establishment of the aforesaid Assembly, the provisions of Article 18 of the Georgetown Agreement as revised in November 1992 shall, mutatis mutandis, continue to apply.

### Article 6

The Council of Ministers may propose to the Summit, the creation of other consultative organs whenever necessary.

### Article 7

#### The Summit

1. The Summit of Heads of State and Government shall consist of the Heads of State or Government of the ACP States or their designated representative.
2. The Summit shall meet on the initiative of its Bureau or on the recommendation of the Council of Ministers.
3. The Summit shall be presided over by the Head of State or Government of the host country.

Article 8

In the inter-sessional period, the Summit shall be coordinated by a Bureau composed as follows:

- a) The President-in-office;
- b) The out-going President;
- c) The in-coming President, if already designated.

Article 9

The Summit shall lay down the general policy of the ACP Group and issue the Council of Ministers with the directives relative to its implementation.

Article 10

The Council of Ministers

The Council of Ministers shall consist of a member of the Government of each of the ACP States or its designated representative.

Article 11

The Council of Ministers shall determine the modalities for the implementation of the general policy referred to in Article 9 of this Agreement and shall periodically evaluate its state of execution.

## Article 12

### Bureau of the Council

1. There shall be a Bureau of the Council of Ministers which shall co-ordinate the work of the Council.
2. The Council shall appoint the members of its Bureau at the end of each ordinary session.
3. The Bureau shall be composed of nine Members and its composition shall be as follows:
  - a) the President of Council, designated on the basis of rotation among the six regions identified in Article 1 (4) in conformity with arrangements agreed on by the ACP Group.
  - b) one member from each of the four regions of Africa, one from the Caribbean and one from the Pacific, with the region which holds the Presidency being represented by another country from that region;
  - c) the out-going President and the in-coming President, in an ex-officio capacity.
4. The President of Council together with the outgoing and incoming Presidents shall comprise the Troika of the Bureau.

## Article 13

1. The Council of Ministers shall meet in ordinary session every six months.
2. In addition, the Council may decide to meet in special session on its own initiative *or* on the decision of the President after consultation within the Troika and with the representative of each of the regions on the Bureau.
3. Furthermore, the Council of Ministers shall, as the need arises, convene meetings of ACP Ministers responsible for the various aspects included among the objectives of the ACP Group.

Article 14

The acts of the Council of Ministers may take the form of a decision, resolution or recommendation.

Article 15

Decision-making within the Council

1. The acts of the Council of Ministers shall be adopted on the basis of a consensus of its members.
2. However, under special circumstances, and after consultation among its members, the Council of Ministers may decide on the matter by a majority of four-fifths of its members.
3. In the event of such a majority not being obtained after voting in the course of two meetings of a session of Council, the matter shall be postponed to the next session, at which the Council shall decide on the matter by a majority of two-thirds of its members.

Article 16

The Council of Ministers shall adopt its rules of procedure.

Article 17

The Council of Ministers may delegate any of its attributions to the Committee of Ambassadors.

Article 18

The Committee of Ambassadors

The Committee of Ambassadors shall consist of an Ambassador or other designated representative of each of the ACP States.

Article 19

1. The Committee of Ambassadors shall assist the Council of Ministers in the performance of its functions, and shall carry out any mandate entrusted to it by the latter.
2. In particular, the Committee of Ambassadors shall monitor the implementation of the ACP-EC Partnership Agreement with a view to achieving the objectives set out therein.
3. The Committee of Ambassadors shall present a report on its activities to each regular session of the Council of Ministers.

Article 20

1. There shall be a Bureau of the Committee of Ambassadors which shall coordinate its work.
2. The Bureau of the Committee of Ambassadors shall comprise nine members and Article 12 of this Agreement shall apply mutatis mutandis in relation to its composition.
3. The members of the Bureau of the Committee of Ambassadors shall be the representatives of the same States as those which comprise the membership of the Bureau of the Council of Ministers.

Article 21

The acts of the Committee of Ambassadors shall be in the form of a decision, resolution or recommendation and shall be adopted on the basis of consensus of its members.

Article 22

The Committee of Ambassadors shall adopt its own rules of procedure.

**CHAPTER III****THE SECRETARIAT OF THE ACP GROUP****Article 23**

1. The Secretariat of the ACP Group shall be located in Brussels, Belgium.
2. The Secretariat of the ACP Group shall be managed by a Secretary General vested with Executive powers.
3. The Secretariat of the ACP Group shall:
  - a) carry out all tasks as may be assigned to it by the Summit of Heads of State and Government, the Council of Ministers, the Committee of Ambassadors and the ACP Parliamentary Assembly ;
  - b) contribute to the implementation of the decisions of these organs;
  - c) monitor the implementation of the ACP-EC Partnership Agreement; and
  - d) service the organs of the ACP Group and, as appropriate, the joint institutions established under the ACP-EC Partnership Agreement.

**Article 24**

1. The Secretary General:
  - a) shall ensure that good quality technical and administrative support and services are provided by the Secretariat to the members and the organs of the ACP Group;
  - b) is the Authorising Officer for the Budget;
  - c) manages the personnel, the projects and programmes; and
  - d) shall be the designated representative of the ACP Secretariat.

2. The Secretary-General may present proposals to the Committee of Ambassadors for the effective achievement of the objectives set out in Article 2.
3. The Secretary-General shall through the Committee of Ambassadors, present a report to each regular Session of the Council of Ministers on the activities of the Secretariat.

#### Article 25

1. The Council of Ministers shall determine the organisational structure of the ACP Secretariat, and lay down its staff regulations, on the proposal of the Committee of Ambassadors.
2. The Council of Ministers shall, appoint the Secretary-General of the ACP Group on the basis of merit, qualifications, professional competence and integrity.
3. The Secretary-General shall appoint Assistant Secretaries-General in accordance with the Staff Regulations on the basis of merit, qualifications, professional competence and integrity of the proposed candidates after consultation with the regions.
4. The appointments to the most senior positions of the ACP-EU joint institutions that fall to the ACP Group shall be made according to the same criteria of merit, qualifications, professional competence and integrity.
5. The principle of rotation shall be applied to all these appointments so as to ensure that account is taken of the need to ensure an equitable and balanced representation of the regions as identified in Article 1 of this Agreement.
6. The Secretary-General shall recruit staff, in accordance with the staff regulations of the ACP Secretariat, on the basis of merit, qualifications, professional competence and integrity. In addition, the staff complement shall, to the fullest extent possible, reflect an equitable and balanced representation of the Member States of the ACP.

Article 26

1. In the event of duly certified incapacity of the Secretary General, or whenever it is clear that his resumption of duties shall be unexpectedly delayed in such a manner as to impair the smooth and efficient running of the ACP Secretariat, the President of Council shall authorise the Assistant Secretary-General who is the most senior by virtue of his date of assumption of office, to temporarily perform the duties of Secretary General.
2. The temporary performance of the duties of Secretary General by the Assistant Secretary General shall cease on the day before the date specified by the incumbent to the President of Council and the Assistant Secretary-General in writing, as the date that he will resume his duties.
3. In the event of the Secretary-General not resuming duty after the expiry of sixty days from the date of the commencement of the temporary performance of duties by the Assistant Secretary-General, the Council of Ministers shall decide at its next session on how to resolve the situation.
4. If the next session of Council is not held before the expiry of an additional period of thirty days, the President of Council shall consult within the Troïka and with the representative of each of the regions on the Bureau, with a view to seeking a temporary solution pending a Council decision at its next session.

Article 27

1. The Council of Ministers shall establish the financial regulations and the Budget of the ACP Secretariat.
2. Each ACP State shall contribute to the Budget in accordance with the provisions established by the Council of Ministers.

**CHAPTER IV****NEW MEMBERS AND OBSERVERS****Article 28**

1. The Council of Ministers may take a decision to admit a State as a member of the ACP Group:
  - a) by virtue of its location within the geographical regions of the ACP Group, and/or
  - b) if it accedes to the ACP-EC Partnership Agreement currently in force.
2. In either case the Council of Ministers shall determine the modalities for admission.
3. The new member shall assume all the rights and the obligations arising from this Agreement.

**Article 29**

On the recommendation of the Committee of Ambassadors, the Council of Ministers may grant Observer Status in the ACP Group to:

- a) independent states within the ACP geographical regions which express their intention to seek membership of the ACP Group or to accede to the ACP-EC Partnership Agreement currently in force;
- b) regional bodies of the ACP states; and
- c) international organisations that pursue development objectives similar to those of the ACP Group, on the basis of reciprocity.

**CHAPTER V**

**FINAL PROVISIONS**

**Article 30**

1. The provisions of this Agreement may be amended by a decision of the Council of Ministers.
2. A proposal for an amendment shall be submitted in writing by any Member State to the ACP Secretariat. It shall be accompanied by supporting documents.
3. The proposed amendment and supporting documents shall be communicated by the ACP Secretariat for the consideration of the Member States of the ACP Group.
4. The proposed amendment shall not be included on the Agenda of a meeting of the Council of Ministers unless a period of at least six months from the date of its communication to the Member States has elapsed.
5. The amendment shall enter into force when it is approved by a decision of the Council of Ministers.

**Article 31**

1. The official languages of the ACP Group shall be English, French, Portuguese, Spanish and any other language as may be decided by the Council of Ministers.

**Article 32**

The ACP Secretariat is the depository of the Georgetown Agreement and shall ensure its publication.

**The preceding text is a certified true copy of the Georgetown Agreement as amended and deposited in the archives of the Secretariat of the African, Caribbean and Pacific Group of States, in Brussels, which entered into force on the 28 November 2003, the date on which it was adopted by Decision No.1/LXXVIII/03 of the ACP Council of Ministers.**

**Brussels, 1<sup>st</sup> December 2003**

**Jean-Robert GOULONGANA  
Secretary-General of the African,  
Caribbean and Pacific Group of States**