

1980

EXPLANATORY MEMORANDUM  
with a view to the ratification  
of the second ACP-EEC Lomé Convention

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Delegations will find attached a draft explanatory memorandum to assist the Parliaments of the Member States and the European Parliament in examining the second ACP-EEC Convention of Lomé.

The signing of the second ACP-EEC Convention on 31 October 1979 in Lomé by the plenipotentiaries of the Community and of the 9 Member States on the one hand and by those of the 58 ACP States on the other was a particularly ceremonial occasion.

The purpose of this Convention is to lay down the rules governing the relations between the European Economic Community and its Member States on the one hand and the African, Caribbean and Pacific States which were signatories to the first Lomé Convention (Lomé I) on the other. The purpose of that first Convention was to define the relations to be set up after the Second Yaoundé Convention (AASM - Community of Six) and to put into concrete form the undertakings entered into by the Community on its enlargement with regard to the independent developing Commonwealth countries situated in Africa, the Indian Ocean, the Pacific Ocean and the Caribbean (Protocol No 22 to the 1972 Treaty concerning the accession to the Community of Denmark, Ireland and the United Kingdom.)

The first Lomé Convention, which was hailed as an example of what relations between industrialized and developing countries should be, expires on 1 March 1980.

It does, however, provide that "18 months before the end of that period the Contracting Parties shall enter into negotiations in order to examine what provisions shall subsequently govern relations between the Community and the Member States and the ACP States".

For that reason the Council of the European Communities authorized the Commission in June 1978 to open negotiations with the ACP States and to that end drew up the negotiating directives. These were generally based on the maintenance of what was achieved in Lomé I. It was on the basis of these Directives that the Commission did in fact conduct the negotiations with the ACP States. The results of negotiations between the Commission and the ACP Ambassadors to Brussels were, furthermore, frequently carried to Government level since four ACP-EEC Ministerial Conferences were held, in December 1978 in Brussels, in March 1979 in the Bahamas and in May and June of the same year in Brussels. In addition, numerous meetings were necessary between the Presidents of the Community Council - the German Minister of State, Mr Von DOHNANYI, then the French Minister for Foreign Affairs, Mr FRANCOIS-PONCET, then the Irish Minister for Foreign Affairs, Mr O'KENNEDY, on the one hand, and the Presidents of the ACP Council of Ministers - Mr ANCHOUEY (Gabon), then Deputy Prime Minister ST-JOHN (Barbados).

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These meetings continued at Ministerial level until the signing since the last difficulties were only resolved - thanks to the intervention of the President of the Togolese Republic, Mr EYADEMA - in Lomé between the two EEC and ACP Presidents some moments before the start of the signing ceremony.

Throughout the negotiations the ACP States referred to the new international economic order and asked constantly and with great insistence that profound changes be made in the new Convention so that they were afforded more extensive aid than that available under the first ACP-EEC Lomé Convention. By way of example one might mention the completely free access to the Community market granted to ACP agricultural products, the restrictions that they would have liked to see imposed on the operation of the safeguard clause, the extension of STABEX to a very large number of products, a considerable increase in the amount of financial aid, the very extensive commitments regarding industrial investments in their countries, etc.

Thanks to the determination of those who negotiated this new Convention to achieve results which were satisfactory for all parties, the new Convention finally establishes a fair balance between the ACP States' requests based on the considerable needs of their economies and what is possible at present for the Community in view of the economic situation and in particular the monetary and employment difficulties confronting it.

This result was generally regarded by public opinion in the countries participating in this Convention as significant progress over Lomé I based on solutions acceptable to the Community and its Member States in view of their economic and financial capacity.

I.

In the field of trade co-operation there is provision for two classes of measures, one concerning trade and the other trade promotion.

1. As regards the trade arrangements, which constitute one of the fundamental sections of the Convention, the future arrangements are closely based on the system adopted in the first Lomé Convention under which ACP products were admitted to the Community duty-free, and in the specific case of agricultural products:

- either they were admitted duty-free where the Community Regulation did not provide for the application of any other measure upon their importation,
- or the Community gave them treatment more favourable than that granted to third countries benefiting from the most-favoured-nation clause.

The Community, which does not negotiate its common agricultural policy, will under the second Lomé Convention, as it did under the first, proceed to adopt measures intended to afford ACP agricultural products this treatment more favourable than that applicable to third countries.

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The ACP States have, moreover, been informed of the measures provided for in this area by a Community declaration annexed to the minutes of signing of the new Convention.

In general, the Community intends that these specific import arrangements should remain much the same as those which were granted under Lomé I, although efforts have been made to improve the systems in force as regards certain products, such as beef and veal, which are of importance for one or more ACP State.

The Community has also agreed to the continued application of the principle that in view of their present development needs the ACP States are not obliged to enter into any commitments as regards granting the Community any preferential arrangements.

They have, however, undertaken not to exercise any discrimination amongst the Member States and to grant the Community treatment no less favourable than that of the most favoured-nation. Furthermore, the Community has stated in a declaration annexed to the Final Act that that treatment shall be no less favourable than that which the ACP States grant to developed States, where those States do not grant the ACP States greater preferences than those granted by the Community.

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2. In order to avoid any deflection of trade the concept of originating products and methods of administrative co-operation between customs administrations are laid down in detail in Protocol No 1 annexed to the second Lomé Convention which repeats, with improvements, in particular in favour of the least-developed countries, the provisions of a similar Protocol annexed to the first Lomé Convention.
  
3. The Community has reserved the right to take or to authorize a Member State to take safeguard measures where the application of the Convention would entail serious disturbances in an economic sector or jeopardize the external financial stability of the Community or of a Member State. The same applies if difficulties arise which are likely to have such consequences either in the Community or in one of its regions. Consultations will take place but it is provided that they shall not be an obstacle to immediate decisions which might be taken if special circumstances made them necessary.

The Contracting Parties also agreed to inform each other and, if necessary, to consult when they take decisions affecting each other's interests where the rules of one Contracting Party are the cause of obstacles to the



movement of goods and when the Community concludes a preferential agreement.

4. The general measures described above are supplemented by two Protocols concerning specific products, one on rum and the other on bananas. In general, those texts reproduce and in certain cases improve, to the ACP States' advantage, the provisions of similar Protocols existing in the present Lomé Convention. These two Protocols do not apply to relations between the ACP States and the French Overseas Departments. A joint declaration further provides for the possibility of changing the arrangements governing imports of ACP products into those departments.
5. The other aspect of trade co-operation concerns trade promotion. It is increasingly obvious that the mere adoption of measures liberalizing imports into the Community of products from developing countries is not enough to enable all those countries to take full benefit of the possibilities thus created.

The signatories to the new Convention intended to make significant improvements in this aspect, which already existed in Lomé I, and have in particular provided for an amount of 40 MEUA for the purpose of helping trade promotion in a regional context, to be added to the appropriations set aside for such promotion in the ACP States' indicative programmes.

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II.

The STABEX system set up by the first Lomé Convention gave satisfactory results in spite of its novelty, and the parties to the negotiations attempted to make all possible improvements in the light of experience and the ACP States' requests.

It should be recalled that the purpose of the system is to guarantee the stabilization of earnings from exports by the ACP States to the Community - and in certain exceptional cases regardless of destination - of products on which their economies depend when those earnings are affected by price or quantity fluctuations. It applies to products on which a country depends in respect of a minimum amount of 7.5%.

The right to a financial transfer, as laid down in the first Lomé Convention, arises if in one year earnings from exports of a given product to the Community are at least 7.5% less than the average of the four preceding years. An overall amount must cover the application of this system. The system applied to a list of 10 principal products to which additions have been made during the period of application of the first Lomé Convention.

In the second Lomé Convention the list of products has been extended by a number of products of which some are extremely important for one ACP country or another but of which the inclusion does not generally represent a substantial increase in the cost of STABEX: these products are in particular rubber, certain leguminous vegetables, various spices and certain sea products.

At the same time the dependence threshold - the volume of exports of a given product for a given ACP country - has been reduced from 7.5% to 6% as a general rule and from 2.5% to 2% for the least advanced, land-locked or island countries. The same applies to the triggering threshold, i.e. the minimum variation in earnings which must occur for entitlement to financial transfers - also reduced to 6.5% and to 2%. In addition, the participation of States receiving transfers in the replenishment of resources - the least developed countries

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remaining exempt from this replenishment requirement - could take place over a 7-year period and qualify for a two-year grace period.

The ACP States undertook to use the transfers in accordance with the objectives laid down in the Convention and, when submitting their requests, to give some indication of the use they intended to make of the transfers. In this context the recipient ACP State will, as hitherto, continue to be free to decide on the use of the amounts thus transferred.

In view of these various amendments the amount provided for the STABEX system was increased from 375 MEUA (Lomé I) to 550 MEUA (Lomé II).

With respect to the second Chapter of this Title of the Convention - special undertakings on sugar - it was agreed that the undertakings entered into at the time of signing the first Lomé Convention, together with Protocol No 3 thereto, would remain in force without amendment and without extension to the French Overseas Departments.

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III.

Generally speaking, the STABEX system introduced under the first Lomé Convention related only to agricultural products. Only iron ore was introduced at the last moment of the previous negotiations at the pressing request of certain ACP States.

As soon as negotiations began in 1978-1979, the ACP States, some of which are major exporters of minerals to the Community, asked that either the STABEX system be extended to all these products or that ad hoc solutions be found for them.

Outright application of the STABEX system to minerals, however, gave rise to multifarious problems, particularly from the commercial, financial, economic and political points of view. Nonetheless the Community and the Member States appreciated that this request deserved consideration in view of Europe's dependence of minerals and the substantial and rapid drop in mining investment in Africa.

The Community tended towards a system of project and programme aid together with the opening up of new possibilities for the development of the mining and energy potential in the ACP States.

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1. The system laid down in the new Convention is aimed at assisting those ACP States which largely depend on the mining sectors to cope with a decline in their capacity to export mining products to the Community. It will cover the following products: copper and cobalt, phosphates, manganese, bauxite and alumina, tin and iron ore. The mechanism, to which an allocation of 280 MEUA divided into equal annual instalments has been made, will allow those ACP States which are largely dependent on the export of the above products to receive financial aid to assist their efforts to remedy the effects of serious disruptions which may arise.

Recourse to this mechanism is possible when a substantial fall is recorded or can be expected in the capacity to produce or to export one of the above-mentioned products to such an extent as seriously to affect the development of the ACP State concerned, thus preventing it from renewing at a normal rate or maintaining the production plant or export capacity; the arrangements also apply in cases of accident or grave political events.

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As a general rule the dependence threshold is set at 15% and at 10% for the least developed, landlocked or island States. Financial aid in this context will take the form of the financing of projects and programmes and will be administered by the Commission.

The aid will be reimbursed by the recipient States on the same terms and conditions as the special loans provided for under the EDF. No one ACP State may receive more than 50% of an annual instalment of the funds. Various of the implementing procedures have been modelled on the STABEX system, including the carrying over of the balance from one year to another, the reduction of the annual amounts if resources are inadequate and the allocation of any balances remaining when the Convention expires.

These provisions are supplemented by measures authorizing the grant of advances to permit the implementation of precautionary measures to halt deterioration of plant production during the appraisal or implementation of the projects and programmes covered by the Chapter.

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2. In addition the Community will give financial and technical assistance and assistance in the form of risk capital for mining and energy exploration and prospection in the ACP States. The EIB may also commit its own resources, beyond the amount already fixed under the chapter on financial and technical co-operation, for mining and energy investment programmes recognized by the ACP States concerned and by the Community as being of mutual interest. Finally a joint declaration provides for the possibility of the Community and the Member States on the one hand and the ACP States on the other concluding agreements relating to individual projects where the Community and possibly European undertakings contribute towards their financing.

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IV.

The negotiators of the first Lomé Convention were unable to reach fundamental agreement on the treatment of investments in the ACP States.

Like most developing countries, the ACP States are aware of their considerable need for investment. They are nevertheless determined to remain in overall charge of the development of investment from other countries if only in selecting the sectors in which the investment is to be made and the sites to be developed.

Hence the protracted and difficult discussions which took place during the negotiations and up to the eleventh hour before signing. Following complex discussions both within the Community and with the ACP States it was suggested that a way out of the difficulty might be found if the ACP States were to acknowledge the principle of non-discrimination in the treatment of investments coming from the Member States of the Community in the ACP States. This allowed each Member State to benefit from the advantages granted by an ACP State to other Member States under bilateral agreements on the treatment of investments. Ultimately the ACP States agreed to recognize the principle of non-discrimination. This is the purpose of Article 64 of the new Convention. They requested, however, that the terms for applying this principle be defined; this question was the subject of keen and protracted negotiation culminating in Joint Declaration No IX annexed to the Final Act of the new Convention.

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Industrial co-operation was covered by extremely detailed provisions in the first Lomé Convention. However, the ACP States considered that, on the whole, results had proved disappointing. For this reason the negotiators of the new Convention wished to spell out the principles underlying ACP-EEC industrial co-operation and to define more precisely the tasks of the bodies responsible for implementing it, primarily the ACP-EEC Committee on Industrial Co-operation and the ACP-EEC Centre for Industrial Development. They also stipulated the amount of the funds allocated to this Centre, a stipulation not made in the first Lomé Convention.

In addition, the ACP States insisted that substantial funds be made available to them for accelerated development in the industrial sphere. In reply to this request the Community consistently stated that it intended to carry out these tasks with the existing instruments, namely the European Development Fund, European Investment Bank financing and the ACP-EEC Centre for Industrial Development (CID). It also agreed, in a Joint Declaration (Annex X), to recognize the need to tap additional financial resources and to search for suitable solutions in this direction. The Community and the ACP States also agreed to carry out a detailed joint analysis of this problem and the means of tapping additional resources, the analysis to be completed within a maximum of nine months of the signing of the Convention.

Furthermore (Annex XI), the Contracting Parties agreed to undertake a joint study to identify what specific measures it might be desirable to adopt in relation to the least developed, landlocked and island States in order to improve their attractiveness to investment.

VI.

The texts on agricultural co-operation, a new chapter in ACP-EEC relations, clearly demonstrate the will of the partners to resolve problems relating to rural development, agricultural production and security of food supplies for the peoples of the ACP countries. Specific co-operation measures are provided for (integrated rural development - hydro-agricultural improvement schemes - crop protection, preservation and storage - agricultural co-operation - agribusiness units - stock farming - fisheries - forestry resources - agronomic research - training). A joint declaration in the minutes of the negotiations provides for the setting up of a Subcommittee of the ACP-EEC Committee of Ambassadors to facilitate attainment of these objects and implementation of these projects.

In addition, the new Convention provides for the setting up of a Technical Centre for Agricultural and Rural Co-operation to provide the ACP authorities with better access to information, research and training data and innovations in the agricultural and rural field. The Centre will disseminate scientific and technical information, pass on the ACP States' requests to qualified bodies, help make scientific publications on agricultural matters available and facilitate access to data banks. It will bring about meetings between research workers, planners and development specialists, channel requests for specific training and in general facilitate access by the ACP States to the results of

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work by national, regional and international bodies responsible for agricultural and rural development. It will arrange meetings between ACP and Community organizations on tropical agriculture and rural development in particular.

In the same spirit, the Community and the ACP States will seek ways of combining schemes provided for in the new Convention with any food measures decided on unilaterally by the Community. The Community will also help to ensure security of food supplies for the ACP States by using the instruments existing under the common agricultural policy for facilitating commercial transactions in food products.

Special priority will be accorded to the specific difficulties of the least-developed ACP States as regards agricultural co-operation.

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VII.

As in the past, the Community and the Member States will provide the ACP States with financial and technical co-operation to help them cope with their development problems. Such co-operation, which will be based on priorities laid down by the ACP States and in the mutual interests of the parties, should help the ACP States to improve and gain more control over the conditions of their development and promote sustained and harmonious growth by raising their standard of living. It will also enable ACP States faced with exceptional difficulties to benefit from emergency aid. Priority will be given to appropriate measures which take account of the specific problems of the landlocked ACP States and the particular difficulties of the island ACP States. There is provision for specific measures for the least-developed States.

A total of 5,227 Million EUA is earmarked for financial co-operation in the new Convention, in the form of 4,542 million units of account from the EDF and 685 million units of account in EIB loans. The Community contribution is complemented by a reduction in the expenditure hitherto charged to the EDF, since the operating expenditure of the Commission delegations in the ACP States, estimated at 180 million units of account,

will be paid from the Community budget. Mention should also be made of the additional financing which the EIB may supply from its own resources for mining investment, pursuant to Article 18(1) of its Statute, the figure being estimated at 200 million units of account. The total Community aid available to the ACP States will therefore be 5,605 million European units of account.

The Community's assistance may take the form of grants (2,928 million) or special loans (504 million European units of account - over 40 years with a grace period of 10 years and interest at 1%) or risk capital (280 million European units of account - industrial, mining, tourism and possibly transport, telecommunications and energy projects). It will be recalled that 550 million European units of account will be allocated to STABEX and 280 million to the special financing facility for mineral products (see above), and that EIB loans may be accompanied by interest rate subsidies financed by the EDF.

Although the amount of aid initially planned by the Community was substantially higher than the amount provided for in the first Lomé Convention (3,390 million units of account), the ACP States did not feel that it fully met their needs; they were, however, told that in determining this amount the Community and the Member States had allowed for the increase in the number of ACP States since the signing of Lomé I, the effects of the various devaluations which had since taken place and the widening of the objectives of Lomé II compared with those of Lomé I. The figure finally adopted constitutes a very substantial improvement over the present situation, especially if account is taken of the limits which the European signatories were bent on setting themselves given their economic situation and the world crisis.

It should also be pointed out that these funds are in themselves incentives to other aid, since the new Convention places even more emphasis than in the past on the importance of co-financing, given the very appreciable results obtaining by this method under Lomé I.

Administration of these funds, while continuing to be covered by the usual guarantees, has been streamlined as much as possible, and the ACP States are even more closely involved in responsibility for it. It will be for them to define their objectives and priorities, to adopt the indicative programme, to choose the projects which they will put up for Community financing, to prepare the dossiers, to negotiate and conclude

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contracts, and to implement, manage and maintain projects financed by the Community. ACP participation has also been improved by the introduction of a joint ACP-EEC Committee with special responsibility for studying, in general terms, improvements to be made to the system, for collecting information on existing procedures, for examining any difficulties which may arise and for making any necessary comments or suggestions.

There are special financial measures to promote even more regional and inter-regional co-operation between ACP States than in the past, to help small and medium-sized industries and to continue and improve the particularly fruitful experiment of aid for microprojects.

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VIII.

A separate Title in the new Convention is devoted to general provisions for the least developed ACP States, on the one hand, and for the landlocked and island ACP States on the other.

These general provisions complement the provisions on trade, trade promotion, stabilization of export earnings, aid for mineral production, industrial co-operation, agricultural co-operation and financing.

IX.

The provisions relating to current payments and capital movements are substantially the same as those in Lomé I.

The new Lomé Convention also includes a number of commitments regarding sea fishing, sea transport and migrant workers.

- (a) As regards sea fishing, the Community and the ACP States recognize the importance of the development of fishery resources in the waters of the ACP States as a contribution to their development. The ACP States declare their willingness to negotiate with the Community bilateral fishery agreements likely to guarantee mutually satisfactory conditions for fishing activities of vessels flying the flag of a Member State of the Community in the sea waters of an ACP State. Such agreements should not permit discrimination between Member States. The Community will act in the same spirit where ACP States wish to carry out fishing activities in the fishing zone covered by the Treaty of Rome.

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It was agreed that these negotiations would relate to traditional fishing activities carried out at present or in the recent past. The Contracting Parties also agreed to co-operate directly to ensure conservation of fishery resources and to promote the objective of optimum use thereof.

The Community also acknowledged the right of the coastal ACP States to the development and exploitation of their fishery resources and agreed that the existing rules of origin would be examined in order to determine what changes might be made. The rules of origin in the new Convention continue the principle of Lomé I that ACP fishery products exported to the Community must be fished by ACP vessels which are registered in a Member State or an ACP State, sail under the flag of a Member State or an ACP State, are owned to the extent of at least 50% by nationals of States party to the Convention and of which at least 50% of the crew are nationals of States party to the Convention. The ACP States consider these limits too stringent and want all catches made in their waters and landed at an ACP port to have originating status. That is why they have requested the review referred to above.

Lastly, the Community will continue to participate in the development of sea fishing activities by means of its financial aid.

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(b) As regards sea transport, apart from the aid which the Community has undertaken to provide for the island ACP States and regional and inter-regional co-operation, it was recognized that the development of shipping services must accompany the development and promotion of trade between the ACP States and the Community. The Contracting Parties stress the importance of the Community's contribution in the context of the United Nations Convention on a Code of Conduct for Liner Conferences. The Community acknowledges the aspirations of the ACP States for greater participation in bulk cargo shipping and states its readiness to examine with the ACP States subjects of common interest relating to this field. The Community therefore stated its willingness under the instruments of financial and technical co-operation, to contribute to the development of sea transport in the ACP States, with particular reference to studies concerning the improvement of shipping services, the setting up and extension of shipping companies and ACP-EEC joint ventures, technical assistance in maritime training and maritime law and provision of feasibility studies on the efficiency of ACP ports and shipyards.

(c) In a joint declaration on workers who are nationals of the Contracting Parties and are residing legally in the territory of the Member States of the Community or the ACP States, it is agreed that each Member State will grant ACP workers treatment free of any discrimination based on nationality in relation to its own nationals as regards working conditions and pay.

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Under the terms of this declaration each ACP State will accord the same treatment to workers who are nationals of the Member States of the Community legally employed on its territory.

The basic principle established in this declaration applies likewise to social security, which also covers the families of workers living with them. These provisions do not of course affect bilateral agreements between an ACP State and a Member State where such agreements provide for more favourable treatment. Lastly, the parties to the Convention agree that matters arising from the declaration will be resolved satisfactorily, and if necessary through appropriate agreements.

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X.

What very clearly distinguishes the two Lomé Conventions (and indeed the Conventions between the Community of Six and the AASM) from everyday economic or trade agreements is the existence of Joint Institutions with the task of creating close links at all levels between representatives of the Community, and Member States and the ACP States and of ensuring jointly the satisfactory application and smooth functioning of the Convention.

These institutional provisions provide for a Council of Ministers, a Committee of Ambassadors, a Consultative Assembly and finally a procedure for settling disputes.

The ACP-EEC Council of Ministers is the driving force in ACP-EEC relations. It consists of members of the Council of the European Communities and members of the Commission of the Communities on the one hand, and of a member of the Government of each ACP State on the other.

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The ACP-EEC Council of Ministers meets in principle once a year and hold additional meetings whenever it seems necessary. The Presidency is held alternately by a member of the Council of the Communities and a member of the Government of an ACP State. It acts by a mutual agreement between the Community on the one hand and the ACP States on the other.

The Council of Ministers defines the broad outline of the work to be undertaken, periodically reviews the results of applying the Convention, takes such measures as may be necessary for the attainment of the Convention's objectives and takes into consideration the resolutions or recommendations made by the Consultative Assembly. It may make arrangements for ensuring the maintenance of effective contacts, consultations and co-operation between the economic and social sectors of the Member States and of the ACP States, and ad hoc meetings may be held under the aegis of the ACP-EEC Council of Ministers on clearly defined matters of common interest.



The consultations provided for in the Convention take place within the Council of Ministers. At the request of one of the Contracting Parties, exchanges of view may take place on questions having direct bearing on matters covered by the Convention. By agreement among the Parties, exchanges of views may take place, within the Council, on other economic or technical questions which are of mutual interest.

The Committee of Ambassadors is composed of one representative of each Member State of the Community, one representative of the Commission and one representative of each ACP State.

It assists the Council of Ministers and carries out all duties entrusted to it by the Council. The Committee keeps under review the functioning of the Convention and the progress towards realization of its objectives. It accounts to the Council of Ministers for its actions and submits to that body any proposals, resolutions, recommendations or opinions it deems necessary.

The Committee of Ambassadors supervises the work of the Committees, bodies or working groups established or provided for under the Convention. It meets at least every six months.

The secretariat of the Council of Ministers and Committee of Ambassadors will continue as hitherto to be run by a co-Secretary proposed by the EEC and a co-Secretary proposed by the ACP States.

The ACP-EEC Consultative Assembly is composed, on a basis of parity, of members of the European Parliament and of members of parliament or representatives designated by the ACP States.

It may submit to the Council any conclusions and make any recommendations it considers appropriate.

The Consultative Assembly considers the annual report of the ACP-EEC Council of Ministers. It may, on an ad hoc basis, establish such contacts as it considers desirable in order to obtain the views of economic and social circles.

Its proceedings are prepared by a Joint Committee.

Disputes on the interpretation or application of the Convention must first be placed before the Council of Ministers; if the Ministers cannot settle the dispute, the Council may initiate a good offices procedure.

If no settlement is reached, an arbitration procedure is used.

XI.

The general and final provisions of the Convention contain the customary rules governing scope, entry into force and participation by new States. They stipulate that the Convention is to enter into force following the deposit of the instruments of ratification and conclusion by the Member States and at least two-thirds of the ACP States, and of the act of conclusion by the Community.

The Convention expires on 28 February 1985.

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increased effectiveness of trade promotion and above all of industrial co-operation help to give relations between the Community and the ACP States a new look.

Lastly, emphasis should be laid on the important part played - as in Lomé I - by the joint institutions as meeting places for policy-makers and a means of administering the future Convention.

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The entry into force of the second ACP-EEC Convention of Lomé will confirm the worldwide innovative trend marked by the establishment of special economic relations between the European Economic Community and 58 developing countries of three geographical areas, including virtually all the States of Black Africa, most of the Caribbean States which have become independent and a number of developing countries in the Pacific.

It will demonstrate to the entire world the resolve of the Community and its Member States to make a substantial and tangible response to the solution of development problems, thus creating a model for relations between developed and developing States which is compatible with the desire of the international community for a more just and more balanced new international economic order.

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