

# **EXPLANATORY MEMORANDUM ON THE AGREEMENT ESTABLISHING THE EU-LAC INTERNATIONAL FOUNDATION**

## **Title of Treaty**

Agreement Establishing the EU-LAC International Foundation

Command Paper 9463

## **Subject Matter**

### **i) Introduction**

1. The EU-LAC Foundation is a Hamburg-based organisation, currently registered under German law. The overall aim of the Foundation is to develop the relationship and increase understanding between the societies of the countries of the EU and Latin American and the Caribbean (EU-LAC). The Foundation was created in 2011 following the 2010 Sixth Summit of Heads of State and Government of the EU-LAC countries.
2. At the General Affairs and External Relations Council on 18 July 2016, EU Foreign Ministers agreed to establish the EU-LAC Foundation as an international organisation with legal personality under public international law. The Foundation will help to strengthen the EU's partnership with the Community of Latin American and Caribbean States (CELAC), encourage mutual understanding and enhance mutual visibility between Europe and Latin America and Caribbean. The Agreement was signed at the EU-CELAC Ministerial meeting in the Dominican Republic on 26 October 2016.
3. The consolidated version of the text was signed by the UK on 26 October 2016 subject to ratification, acceptance or approval.

### **ii) Detail**

4. European Council Decision 2012/493/EU authorised the Commission to open negotiations for an international agreement on the creation of the EU-LAC Foundation as an international organisation. Negotiations started in December 2012 and concluded in January 2015. They were conducted on the EU side by the European External Action Service (EEAS) on behalf of the Commission and EU Member States, and by a rotating Pro Tempore Presidency on the CELAC side. At the 2015 Brussels EU-CELAC Summit, EU and CELAC Heads of State and Government called for the "swift signature and early entering into force" of the Agreement establishing the EU-LAC International Foundation.

5. The Board of Governors of the Foundation is made up of representatives of each of the 62 countries involved. The Board meets twice a year. They are supported by a small Secretariat in Hamburg. The Hamburg office is headed by an Executive Director, Paola Amadei, a former EEAS Head of Delegation. The Foundation's President is currently the former President of the Dominican Republic, Leonel Fernández Reyna. If the appointed President comes from a CELAC Member State, the Executive Director shall come from an EU Member State, or vice versa.

### **Ministerial Responsibility**

6. The Secretary of State for Foreign and Commonwealth Affairs is the Minister with overall responsibility for UK policy on the EU's Common Foreign and Security Policy.

### **Policy Considerations**

#### **i) General**

7. Since its creation in 2011, the EU-LAC Foundation has played an important role in supporting civil society, academia and businesses in Europe, the Americas and the Caribbean to build a greater understanding of citizens and governments in both regions. The Foundation has helped to organise seminars, conferences, workshops, bi-regional awareness programmes, and to create publications and internet campaigns, to improve mutual understanding between people living within EU and CELAC Member States.
8. The European Union is a longstanding partner for the development of the CELAC region. The objectives of the EU-LAC Foundation are consistent with the aims of the EU and CELAC to develop a relationship with, and improve understanding between, the people and governments of Europe, Latin America and the Caribbean.
9. HM Government welcomes greater dialogue and understanding between the countries of Europe, Latin America and the Caribbean. We have been supportive of the work of the EU-LAC Foundation, from when it was originally set up as a German-registered entity. HM Government is also happy to endorse the EU-LAC Foundation being given international organisation status. Primarily, this will enable the Foundation to receive more funds from Member States – particularly those that were unable to make financial contributions to the Foundation when it was registered as a German body.

#### **ii) Financial**

10. The signature and conclusion of the Agreement to establish the EU-LAC Foundation as an international organisation will make it easier for EU and CELAC Member States to contribute bilaterally to the Foundation's budget. The Agreement does not, however, oblige Member States to do so.

11. Other than our contributions via the EU Budget, HM Government has no plans to contribute any additional funds to the EU-LAC Foundation bilaterally. The European Commission has provided financial contributions to the Foundation since it was established under German civic law in 2011. The Commission awarded the Foundation €3 million in October 2015. This funding will last two years.

**iii) Reservations and Declarations**

12. None.

**Implementation**

13. Ratification of the Agreement does not impose any additional obligations upon the UK. No further legislative measures will be necessary for its implementation by the UK.

**Consultations**

14. None.

A handwritten signature in black ink, appearing to read 'Alan Duncan', followed by a horizontal line.

The Rt Hon. Sir Alan Duncan MP  
Minister for Europe and the Americas  
Foreign and Commonwealth Office