



Plenary sitting

A9-0005/2024

25.1.2024

RECOMMENDATION

on the draft Council decision on the conclusion, on behalf of the Union, of the Sustainable Investment Facilitation Agreement between the European Union and the Republic of Angola
(10942/2023 – C9-0459/2023 – 2023/0181(NLE))

Committee on International Trade

Rapporteur: Joachim Schuster

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION	5
EXPLANATORY STATEMENT	6
MINORITY POSITION	7
ANNEX: ENTITIES OR PERSONS FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT	8
PROCEDURE – COMMITTEE RESPONSIBLE	9
FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE	10

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the draft Council decision on the conclusion, on behalf of the Union, of the Sustainable Investment Facilitation Agreement between the European Union and the Republic of Angola
(10942/2023 – C9-0459/2023 – 2023/0181(NLE))**

(Consent)

The European Parliament,

- having regard to the draft Council decision (10942/2023),
 - having regard to the draft Sustainable Investment Facilitation Agreement between the European Union and the Republic of Angola (10941/2023),
 - having regard to the request for consent submitted by the Council in accordance with Article 207(4), first subparagraph, and Article 218(6), second subparagraph, point (a)(v), of the Treaty on the Functioning of the European Union (C9-0459/2023),
 - having regard to Rule 105(1) and (4) and Rule 114(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on International Trade (A9-0005/2024),
1. Gives its consent to the conclusion of the agreement;
 2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the Republic of Angola.

EXPLANATORY STATEMENT

On 23 March 2021, the Commission adopted a recommendation for a Council Decision authorising the opening of negotiations with Angola on an agreement on investment facilitation. This followed a joint statement issued by Executive Vice-President of the European Commission, Mr. Valdis Dombrovskis and Minister of Trade and Industry of Angola, Mr. Victor Fernandes, on 8 September 2020 confirming “*their intention to start exploratory discussions on an EU-Angola investment agreement, on top of the EPA, focusing on investment facilitation.*” On 26 May 2021, the Council of the European Union authorised the opening of negotiations and adopted negotiating directives.

On 22 June 2021, the EU and Angola launched negotiations on a Sustainable Investment Facilitation Agreement (“the Agreement”). The negotiations were concluded after four rounds of negotiations on 18 November 2022.

The overall objective of the Agreement is to provide for legal certainty, improve the investment climate and facilitate the mobilisation and retention of investment between the EU and Angola on the basis of modern and simplified rules and procedures relating to foreign direct investment, benefiting both foreign and domestic companies. It promotes sustainable development, economic growth and job creation and strengthens the bilateral investment relationship. This Agreement is the first agreement on investment facilitation that the EU has negotiated.

The Agreement has four substantive chapters (II. Transparency and predictability; III: Streamlining of authorisation procedures; IV. Focal points and involvement of stakeholders; V. Investment and sustainable development). Chapter VI “Dispute avoidance and settlement”, which is based on cooperation between the Parties and seeking a mutually-agreed solution, includes furthermore the possibility of State-to-State arbitration as a last resort, in addition to mediation rules.

The Agreement also integrates a sustainable development dimension in the investment relationship, including commitments not to weaken labour or environmental laws and standards for the sake of attracting investment. It includes commitments to effectively implement international labour and environmental agreements, including the Paris Agreement. The Agreement requires the Parties to promote responsible business practices by investors and strengthens bilateral cooperation on investment-related aspects of climate change policies and gender equality policies.

In accordance with Article 218(6) TFEU, the consent of the European Parliament is required in order for the Council to adopt a decision on the conclusion of the Agreement.

In the light of the above, the Rapporteur recommends the Parliament to give its consent to the conclusion of the Agreement.

MINORITY POSITION

Pursuant to Rule 55(4) of the Rules of Procedure

Saskia Bricmont (Verts/ALE)

Angola can certainly benefit from foreign direct investments provided that it is supported by the appropriate regulatory framework. Yet, the Sustainable Investment Facilitation Agreement (SIFA) carries a misleading name. No provision is such that it aims at fostering sustainable investment. It contains no definition of sustainable investment and does not foresee that labour or environmental authorities will take part in the governance. Although the text includes declaratory commitments to sustainable development, it lacks binding provisions in case of non-compliance. While there is an Article on the linkages with the host economy, investors are not required to demonstrate that their projects will contribute to the sustainable development of the country or to its economic diversification. In this regard, economic diversification is not to be monitored. The SIFA should be explicitly tied to the Multiannual Indicative Programme of Angola so as to support the various objectives set out in this document and agreed with Angola's authorities and stakeholders and with European partners (Member States, EIB...) in conformity with the policy coherence for development.

Since the SIFA is slated to be a blueprint for future similar agreements, it should be improved accordingly so as to genuinely contribute to economic diversification and sustainable development.

**ANNEX: ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur declares that he has received input from the following entities or persons in the preparation of the report, until the adoption thereof in committee:

Entity and/or person
Investment and Intellectual Property Unit, DG Trade, European Commission

The list above is drawn up under the exclusive responsibility of the rapporteur.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Conclusion of the Sustainable Investment Facilitation Agreement between the European Union and the Republic of Angola			
References	10942/2023 – C9-0459/2023 – 2023/0181(NLE)			
Date of consultation or request for consent	22.11.2023			
Committee responsible Date announced in plenary	INTA 14.12.2023			
Committees asked for opinions Date announced in plenary	AFET 14.12.2023	DEVE 14.12.2023	EMPL 14.12.2023	ENVI 14.12.2023
	FEMM 14.12.2023			
Not delivering opinions Date of decision	AFET 18.7.2023	DEVE 23.10.2023	EMPL 29.6.2023	ENVI 17.7.2023
	FEMM 13.7.2023			
Rapporteurs Date appointed	Joachim Schuster 27.6.2023			
Discussed in committee	28.11.2023			
Date adopted	24.1.2024			
Result of final vote	+: 32 -: 2 0: 5			
Members present for the final vote	Barry Andrews, Anna-Michelle Asimakopoulou, Tiziana Beghin, Saskia Bricmont, Jordi Cañas, Daniel Caspary, Markéta Gregorová, Roman Haider, Heidi Hautala, Karin Karlsbro, Miapetra Kumpula-Natri, Danilo Oscar Lancini, Bernd Lange, Margarida Marques, Gabriel Mato, Sara Matthieu, Emmanuel Maurel, Carles Puigdemont i Casamajó, Samira Rafaela, Inma Rodríguez-Piñero, Ernő Schaller-Baross, Helmut Scholz, Joachim Schuster, Sven Simon, Dominik Tarczyński, Kathleen Van Brempt, Marie-Pierre Vedrenne, Jörgen Warborn, Jan Zahradil, Juan Ignacio Zoido Álvarez			
Substitutes present for the final vote	Michiel Hoogeveen, Włodzimierz Karpiński, Liudas Mažylis			
Substitutes under Rule 209(7) present for the final vote	Hildegard Bentele, Izaskun Bilbao Barandica, Paolo Borchia, Antonio Maria Rinaldi, Domènec Ruiz Devesa, Lucia Vuolo			
Date tabled	26.1.2024			

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

32	+
ECR	Michiel Hoogeveen, Dominik Tarczyński, Jan Zahradil
ID	Paolo Borchia, Roman Haider, Danilo Oscar Lancini, Antonio Maria Rinaldi
NI	Tiziana Beghin, Ernő Schaller-Baross
PPE	Anna-Michelle Asimakopoulou, Hildegard Bentele, Daniel Caspary, Włodzimierz Karpiński, Gabriel Mato, Liudas Mažylis, Sven Simon, Lucia Vuolo, Jörgen Warborn, Juan Ignacio Zoido Álvarez
Renew	Barry Andrews, Izaskun Bilbao Barandica, Jordi Cañas, Karin Karlsbro, Samira Rafaela, Marie-Pierre Vedrenne
S&D	Miapetra Kumpula-Natri, Bernd Lange, Margarida Marques, Inma Rodríguez-Piñero, Domènec Ruiz Devesa, Joachim Schuster, Kathleen Van Brempt

2	-
The Left	Emmanuel Maurel, Helmut Scholz

5	0
NI	Carles Puigdemont i Casamajó
Verts/ALE	Saskia Bricmont, Markéta Gregorová, Heidi Hautala, Sara Matthieu

Key to symbols:

+ : in favour

- : against

0 : abstention