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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Memorandum of Understanding between the European Union and the Republic of Rwanda on a strategic partnership on sustainable raw materials value chains
- Authorisation to sign an NBI

1. On 14 March 2023, the Commission informed the Working Party on Competitiveness and Growth (Industry) about its intention to enter into discussions to draw up a Memorandum of Understanding on behalf of the Union to establish a partnership on sustainable raw materials value chains with Rwanda¹.

On 13 June 2023, the Commission provided updated information in the light of latest developments in this country and new elements that the Commission deemed useful to add to inform Member States of the nature of the partnership², accompanied by additional information on the traceability of minerals³.

¹ WK 3584/2023.

² WK 7882/2023.

³ WK 7896/2023.

2. The partnership, as a non-binding instrument, aims to support a closer economic and industrial integration of the EU with Rwanda in the area of sustainable raw materials, in particular through mapping resources, identifying projects across the value chain, de-risking and attracting private investment through financial and investment instruments. It also aims to support a better alignment on high environmental, social and governance standards throughout the raw materials value chains, including through a harmonised legal framework and a strong traceability system, to underpin a sustainable and inclusive economic growth, the creation of local added value and domestic revenue mobilisation. Moreover, it aims to support closer cooperation on research and innovation including advanced exploration, earth observation, and clean and innovative technologies across the supply chain, as well as closer cooperation on skills and capacity building necessary for sustainable raw materials supply chains. And it aims to support promoting an open, fair and competitive market for critical raw and processed materials based on transparent and regular dialogue that ensure the well-functioning and resilience of raw materials supply chains.
3. On 10 July 2023, the Council authorised the Commission to negotiate, on behalf of the Union, the Memorandum of Understanding to establish a partnership on sustainable raw materials value chains with Rwanda⁴.
4. On 21 November 2023, the Working Party on Competitiveness and Growth (Industry) received an information note from the Commission on the Memorandum of Understanding to be signed on behalf of the European Union with the Republic of Rwanda, establishing a strategic partnership on sustainable raw materials value chains, with the draft text of the Memorandum of Understanding in an attachment⁵. On 11 December 2023, the Commission provided a revised version of the information note⁶.

⁴ 10304/23.

⁵ WK 15491/2023 + ADD 1.

⁶ WK 15491/2023 REV 1.

5. The Memorandum of Understanding between the European Union and the Republic of Rwanda on a strategic partnership on sustainable raw materials value chains, set out in document 16160/23, would constitute a non-binding instrument. The Memorandum of Understanding sets forth the intentions of both partners. It is not legally binding upon the partners.
6. The Commission plans to sign the Memorandum of Understanding on behalf of the Union, after having received the Council's endorsement, after 21 December 2023.
7. The Working Party on Competitiveness and Growth (Industry) examined the draft Memorandum of Understanding between the European Union and the Republic of Rwanda on a strategic partnership on sustainable raw materials value chains at its meeting on 27 November 2023 and at an informal videoconference on 11 December 2023. Delegations generally welcomed the Memorandum of Understanding, notably the emphasis on traceability and Rwanda's engagement with the Extractive Industry Transparency Initiative, and indicated overall support to the Commission's proposal to sign it on behalf of the Union after 21 December 2023.
8. Following the examination by the Working Party, the Permanent Representatives Committee is asked to:
 - confirm its agreement on the text of the Memorandum of Understanding as set out in document 16160/23;
 - recommend that the Council authorises the Commission to sign, on behalf of the Union, the Memorandum of Understanding, as set out in document 16160/23, as an 'A' item on the agenda of a forthcoming Council meeting.