

MINUTES OF THE SITTING OF THURSDAY, 24 SEPTEMBER 1998

(1999/C 79/04)

IN THE CHAIR: Lord PLUMB

*Co-President**(The sitting opened at 9.20 a.m.)*1. **Substitutes***Guinea-Bissau*

The Co-President announced the following substitute:
Martens (for Fernández Martín)

The following spoke: the representatives of Guinea-Bissau, Gambia, Senegal, Angola, Nigeria and Guinea, Mr Torres Couto and Mr Cunha.

2. **General Report on Intra-ACP Cooperation***Angola*

- General rapporteur: Mr Weldegiorgis (Eritrea)
- Vote

The resolution was adopted as amended.

The following spoke: the representatives of Angola, Guinea-Bissau and Equatorial Guinea and the following Members: Torres Couto, Cunha, Nordmann, Schwaiger and Andrews.

The following amendments were adopted: 1, 2, 3, 4, 5, 6, 7, 11, 12, 13 (with the addition of an oral amendment by the rapporteur) and 14.

Papua New Guinea

Amendments 8, 9 and 10 were rejected.

The representative of Papua New Guinea spoke.

*Haiti*3. **Report on the visit to Kenya by Lord Plumb, Vice-President (3-8 September 1998)**

The representative of Haiti spoke.

Lord Plumb, Co-President, gave a report.

5. **Revision of the Rules of Procedure**

The representative of Kenya and Mr Corrie spoke.

[Co-rapporteurs: Mr Chanterie and Mr Weldegiorgis (Eritrea)]

4. **Continuation of the exchange of views on specific countries or regions**

Lord Plumb, Co-President, announced that the Bureau had decided that proposals for amendments would be submitted at the next meeting of the Joint Assembly.

Equatorial Guinea

Mr Pons Grau and the representatives of Papua New Guinea and Equatorial Guinea spoke.

6. **Statement by Mr de Paul de Barchifontaine on behalf of the economic and social partners.***Nigeria*

The following spoke: the representatives of Nigeria, Uganda, Niger, Liberia, Papua New Guinea and Guinea-Bissau and the following Members: Kinnock, Maij Weggen, Bertens, Baldi, Van Putten and Robles Piquer.

Mr de Paul de Barchifontaine announced the topic to be discussed at the next meeting of the social and economic partners: 'The practical arrangements for opening up the ACP-EU partnership to include social and economic operators so that they can be involved in the drawing up and implementation of national and regional development policies'.

7. Action taken on the resolutions adopted by the Joint Assembly during its 26th session held in Port Louis (Mauritius) from 20 to 23 April 1998.

A Commission document reporting on the action taken on the resolutions adopted at Port Louis was distributed to the members.

8. Other business

Mr Mogami, Co-President, announced the draft statement by the ACP members of the Joint Assembly concerning the attack on the El Shifa pharmaceuticals factory in Sudan.

(The sitting was adjourned at 1 p.m. and resumed at 3.10 p.m.)

9. Consideration of and vote on individual motions for resolutions

AP/2596/98/COMP on the euro was adopted with four amendments.

AP/2531/98/COMP on the euro was adopted. (Electronic Vote: 24 for, 21 against, 2 abstentions)

AP/2547/98 on the euro was rejected. (Electronic Vote: 22 for, 23 against, 1 abstention)

AP/2494/98/rev on fisheries was adopted.

AP/2597/98/COMP on trade and development was adopted with ten amendments.

AP/2541/98/COMP on the Multilateral Agreement on Investment was adopted.

AP/2598/98/COMP on Togo: following a request for a separate vote by each group of representatives by secret ballot, the ACP members rejected the joint resolution, whereas the EP members accepted it. The resolution was therefore rejected. The result of the secret ballot was: ACP: 10 for, 24 against, and 3 abstentions; EP: 23 for and 6 against.

AP/2626/98 on Kenya was adopted.

AP/2599/98/COMP on Ethiopia and Eritrea was adopted with four amendments.

AP/2600/98/COMP on Sudan: following a request for a separate vote by each group of representatives by secret ballot, the resolution was adopted. The result of the secret ballot was: ACP: 23 for, 15 against, and 7 abstentions; EP: 29 for.

AP/2602/98/COMP on the Great Lakes Region and the D.R. Congo was adopted with one amendment.

AP/2603/98/COMP on Congo (Brazzaville) was adopted with one amendment.

AP/2604/98/COMP on Equatorial Guinea: following a request for a separate vote by each group of representatives by secret ballot, the ACP members rejected the joint resolution, whereas the EP members accepted it. The resolution was therefore rejected. The result of the secret ballot was: ACP: 13 for, 26 against, and 4 abstentions; EP: 27 for and 2 against.

AP/2605/98/COMP on Nigeria: following a request for a separate vote by each group of representatives by secret ballot, the resolution was adopted with three amendments. The result of the secret ballot was: ACP: 24 for, 6 against, and 1 abstention; EP: 29 for and 1 against.

AP/2606/98/COMP on Guinea-Bissau was adopted with four amendments.

AP/2616/98/COMP on South Africa was adopted.

AP/2607/98/COMP on Angola was adopted with five amendments.

AP/2518/98 on Angola was rejected.

AP/2528/98 on Angola was rejected.

AP/2608/98/COMP on PNG/Bougainville was adopted.

AP/2609/98/COMP on the debt burden of the ACP countries was adopted with five amendments. Mr Chanterie spoke on a point of order.

AP/2511/98/COMP on Debt was adopted (Electronic Vote: 50 for, 23 against and 1 abstention).

AP/2610/98/COMP on Education and training the ACP countries was adopted.

AP/2611/98/COMP on Health and AIDS was adopted with six amendments.

AP/2612/98/COMP on Biodiversity and Environment was adopted with the deletion of one paragraph.

AP/2503/98 on Biodiversity and Environment was adopted with the deletion of one paragraph. Mrs Junker and the representative of Ethiopia spoke on points of order.

AP/2595/98 on mining developments and their environmental aspects was adopted.

AP/2613/98/COMP on Biotechnology was adopted.

AP/2614/98/COMP on Post-conflict rehabilitation was adopted.

AP/2615/98/COMP on Information society and the developing world was adopted.

10. Declaration on damage caused by Hurricane Georges

The following spoke: Mr Chanterie, the representatives of Dominica, Dominican Republic and Haiti, Aldo, the representative of Bahamas, Lehideux and Robles Piquer. It was agreed to issue a declaration on the disaster resulting from Hurricane Georges.

11. Appointment of a General Rapporteur

Mr Robles Piquer was appointed.

12. Date and place of next Session

Lord Plumb, Co-President, announced that the place and date would be communicated as soon as possible.

The Co-President paid his tribute to Mr Pabst of the secretariat who was leaving to take up other responsibilities.

The Co-President acknowledged an invitation for a representative of the Joint Assembly to attend the forthcoming EU-SADC conference on transport and Infrastructure, in Maputo.

Mr Robles Piquer expressed concern at the low level of participation of members in voting.

(The session closed at 4.35 p.m.)

Lord PLUMB and T. D. MOGAMI

Co-Presidents

N. P. MAGANDE and M. MICHEL

Co-Secretaries-General

ANNEX I

ALPHABETICAL LIST OF MEMBERS OF THE ACP-EU JOINT ASSEMBLY

ACP representatives

ANGOLA
 ANTIGUA and BARBUDA
 BAHAMAS
 BARBADOS
 BELIZE
 BENIN
 BOTSWANA
 BURKINA FASO
 BURUNDI
 CAMEROON
 CAPE VERDE
 CENTRAL AFRICAN REPUBLIC
 CHAD
 COMOROS
 CONGO
 CÔTE D'IVOIRE
 DEMOCRATIC REPUBLIC OF CONGO
 DJIBOUTI
 DOMINICA
 DOMINICAN REPUBLIC
 EQUATORIAL GUINEA
 ERITREA
 ETHIOPIA
 FIJI
 GABON
 GAMBIA
 GHANA
 GRENADA
 GUINEA
 GUINEA-BISSAU
 GUYANA
 HAITI
 JAMAICA
 KENYA
 KIRIBATI
 LESOTHO
 LIBERIA
 MADAGASCAR
 MALAWI
 MALI
 MAURITANIA
 MAURITIUS
 MOZAMBIQUE
 NAMIBIA
 NIGER
 NIGERIA
 PAPUA NEW GUINEA
 RWANDA
 SAINT KITTS-NEVIS
 SAINT LUCIA
 SAINT VINCENT AND THE GRENADINES
 SAMOA
 SÃO TOMÉ AND PRÍNCIPE
 SENEGAL
 SEYCHELLES
 SIERRA LEONE
 SOLOMON ISLANDS
 SOMALIA
 SOUTH AFRICA
 SUDAN
 SURINAME

European Parliament

AELVOET
 ALDO
 AMADEO
 ANDRÉ-LÉONARD
 ANDREWS
 ANTONY
 BALDARELLI
 BALDI
 BALDINI
 BEREND
 BERTENS
 BONTEMPI
 CACCAVALE
 CARLOTTI
 CARNERO GONZÁLEZ
 CASINI, Carlo
 CASTAGNÈDE
 CHANTERIE
 CORRIE
 CUNHA
 CUNNINGHAM
 DELCROIX
 ESCUDERO
 FASSA
 FERNÁNDEZ MARTÍN
 GARCÍA ARIAS
 GHILARDOTTI
 GILLIS
 GIRÃO PEREIRA
 GLASE
 GRÖNER
 HORY
 HUME
 JUNKER
 KINNOCK
 KOKKOLA
 KUHN
 LANNOYE
 LEHIDEUX
 McGOWAN
 MAIJ-WEGGEN
 MIRANDA
 MORRIS
 MOUSKOURI
 NEYTS-UYTTBROECK
 NORDMANN
 PAASIO
 PETTINARI
 Lord PLUMB
 PONS GRAU
 van PUTTEN
 RACK
 RASCHHOFER
 ROBLES PIQUER
 ROCARD
 SANDBÆK
 SAUQUILLO PEREZ DEL ARCO
 SCHIEDERMEIER
 SCHMIDBAUER
 SCHWAIGER
 SOUCHET

SWAZILAND
TANZANIA
TOGO
TONGA
TRINIDAD AND TOBAGO
TUVALU
UGANDA
VANUATU
ZAMBIA
ZIMBABWE

TELKÄMPER
THOMAS
TORRES COUTO
VANHECKE
VECCHI
VERWAERDE
VIOLA
WIELAND
WURTZ

ANNEX II

RECORD OF ATTENDANCE

MOGAMI, Co-President (Botswana)

CLARIDGE (Bahamas), VP
GABAAKE (Botswana), VP
MANDENG (Cameroon), VP
JAMES (Dominica), VP
DAWIT (Ethiopia), VP
DRUAVESI (Fiji), VP
BOURISHIRE (Liberia), VP
DIALLO (Mali), VP
SISILO (Solomon Islands), VP
MAGANI (Tanzania), VP
MUKWERKWEZEKE (Zimbabwe), VP

DOMINGOS (Angola)
NGUEMA ONGUENE (Equatorial Guinea)
DAWIT (Ethiopia)
CLARIDGE (Bahamas)
CHELTENHAM (Barbados)
DIEGO-GREY (Belize)
SANSUAMOU (Benin)
GABAAKE (Botswana)
NABOHO (Burkina Faso)
SIBOMANA (Burundi)
JAMES (Dominica)
ABRUADER (Dominican Republic)
BRA KANON (Côte d'Ivoire)
WELDEGIORGIS (Eritrea)
DRUAVESI (Fiji)
CEESAY (Gambia)
RAWIRI (Gabon)
BAAH-DANQUAH (Ghana)
REDHEAD (Grenada)
SOMPARE (Guinea)

Lord PLUMB, Co-President

KINNOCK, VP ⁽¹⁾ ⁽²⁾ ⁽³⁾
VERWAERDE ⁽¹⁾ ⁽⁴⁾ ⁽³⁾
JUNKER, VP
GILLIS, VP ⁽¹⁾ ⁽²⁾ ⁽⁴⁾
PONS GRAU, VP ⁽⁴⁾ ⁽³⁾
SCHWAIGER, VP ⁽¹⁾ ⁽²⁾ ⁽³⁾
ANDREWS, VP ⁽²⁾ ⁽⁴⁾ ⁽³⁾
VECCHI, VP
ROBLES PIQUER, VP

AELVOET ⁽²⁾
ALDO ⁽²⁾ ⁽⁴⁾ ⁽³⁾
AMADEO ⁽²⁾
ANDRÉ-LÉONARD
BALDARELLI ⁽¹⁾ ⁽³⁾
BALDI
BEREND ⁽¹⁾ ⁽²⁾ ⁽⁴⁾
BERTENS
CACCAVALE ⁽²⁾ ⁽³⁾
CARLOTTI ⁽²⁾ ⁽⁴⁾ ⁽³⁾
CARNERO GONZÁLEZ ⁽²⁾ ⁽⁴⁾ ⁽³⁾
CASINI, Carlo ⁽⁴⁾ ⁽³⁾
CASTAGNÈDE ⁽¹⁾ ⁽⁴⁾
CHANTERIE
CORRIE
CUNHA ⁽²⁾
CUNNINGHAM ⁽¹⁾ ⁽²⁾ ⁽⁴⁾
DELCROIX ⁽²⁾ ⁽⁴⁾ ⁽³⁾
ESCUDEIRO ⁽⁴⁾ ⁽³⁾
FABRE-AUBRESPY ⁽²⁾ (for Souchet)
FASSA
GARCÍA ARIAS ⁽¹⁾ ⁽²⁾ ⁽⁴⁾

⁽¹⁾ Present on 21.9.1998.

⁽²⁾ Present on 22.9.1998.

⁽³⁾ Present on 24.9.1998.

⁽⁴⁾ Present on 23.9.1998.

MENDES (Guinea-Bissau)
 BERNARDIN (Haiti)
 FITZ JACKSON (Jamaica)
 MANDENG (Cameroon)
 ROCHA (Cape Verde)
 MBELA (Kenya)
 ABDOUL WAHAB (Comoros)
 KOUMBA (Congo)
 KANENGELE (D. R. Congo)
 LECHESA (Lesotho)
 BOURISHIRE (Liberia)
 BERIZIKY (Madagascar)
 MPHANDE (Malawi)
 DIALLO (Mali)
 VALL OULD BELLAL (Mauritania)
 BELLEPEAU (Mauritius)
 MUCHANGOS (Mozambique)
 WOHLER (Namibia)
 SOMALIA (Niger)
 ALABA (Nigeria)
 Sir KAPUTIN (Papua New Guinea)
 MUHONGARIE (Rwanda)
 MPONDA (Zambia)
 MEREDITH (Samoa)
 DIAGNE (Senegal)
 MUKWERKWEZEKE (Zimbabwe)
 SISILO (Salomon Islands)
 LAURENT (St Lucia)
 THOMAS (St Vincent/Grenadine)
 SHIDDO (Sudan)
 EBRAHIM (South Africa)
 RITTER (Suriname)
 Prince KHUZULWANDLE DLAMINI
 (Swaziland)
 MAGANI (Tanzania)
 PERE (Togo)
 GORDON (Trinidad and Tobago)
 KINYATA (Uganda)
 KOSSI-BELLA (Central African Republic)

GIRÃO PEREIRA ⁽¹⁾ ⁽²⁾ ⁽³⁾
 GLASE ⁽²⁾ ⁽⁴⁾
 GRÖNER
 HORY ⁽⁴⁾
 KOKKOLA ⁽²⁾
 KUHN
 LANNOYE ⁽¹⁾ ⁽²⁾
 LEHIDEUX
 McGOWAN ⁽²⁾ ⁽³⁾ ⁽⁴⁾
 MAIJ-WEGGEN ⁽²⁾ ⁽³⁾ ⁽⁴⁾
 MARTENS ⁽³⁾ ⁽⁴⁾ (for Fernández Martín)
 MIRANDA ⁽²⁾ ⁽³⁾
 NEYTS-UYTTEBROECK ⁽²⁾
 NORDMANN ⁽¹⁾ ⁽²⁾ ⁽⁴⁾
 PAASIO
 PETTINARI
 van PUTTEN
 RACK ⁽²⁾ ⁽³⁾ ⁽⁴⁾
 ROCARD ⁽²⁾ ⁽³⁾ ⁽⁴⁾
 SANDBÆK ⁽²⁾ ⁽³⁾
 SAUQUILLO PEREZ DEL ARCO ⁽¹⁾ ⁽²⁾ ⁽³⁾
 SCARBONCHI ⁽²⁾ ⁽³⁾ (for Hory)
 SCHIEDERMEIER ⁽¹⁾ ⁽²⁾ ⁽⁴⁾
 SOUCHET ⁽³⁾ ⁽⁴⁾
 TAUBIRA-DELANNON ⁽¹⁾ (for Hory) ⁽²⁾
 (for Castagnède)
 TELKÄMPER ⁽²⁾ ⁽³⁾
 THOMAS ⁽¹⁾ ⁽²⁾ ⁽⁴⁾
 TORRES COUTO
 VANHECKE ⁽¹⁾ ⁽²⁾ ⁽³⁾
 VIOLA ⁽²⁾ ⁽⁴⁾
 WIELAND ⁽²⁾ ⁽⁴⁾
 WURTZ ⁽²⁾

Observers:

Cuba:

PEZ FERRO, MARTÍNEZ CORDOVES, GUTIERREZ CORRALES

Apologies for absence:

ANTIGUA AND BARBUDA, CHAD, DJIBOUTI, GUYANA, KIRIBATI, MAURITANIA, SÃO TOMÉ AND PRÍNCIPE, SEYCHELLES, SIERRA LEONE, SOMALIA, TONGA, TUVALU, VANUATU.

⁽¹⁾ Present on 21.9.1998.

⁽²⁾ Present on 22.9.1998.

⁽³⁾ Present on 23.9.1998.

⁽⁴⁾ Present on 24.9.1998.

Also present:

ANGOLA

MAMPASSA
JAMBA
CABONGO

EQUATORIAL GUINEA

MBANZANG
OYONO AWONG
MBA OLO

ETHIOPIA

HABTAMU

BENIN

SANSUAMOU
CARRENA-AZ.
ABOUDOU
HINVI

BURKINA FASO

NABOHO
NIDOGO
KAFANDO T.

BURUNDI

NIBOGORA

DOMINICAN REPUBLIC

WASLU
GUEVARA
ABREU
QUINONES

COTE D'IVOIRE

N'zi ANET
GBA
BANNY

ERITREA

KIFLE
ABRAHA
GIORGER

FIJI

LIGAIRI

GABON

NGOYE-MALOUMBI
REKANGALT
BIYOGHE-MBA
MOUSOOUNDA
KAWANGH
IKOBABENDJE
MVE-EBANG
POSSO
ANGUILE
NGANGAH
RETOUANO

DAOUDA
OVONO-OKOUE
SANNI AODOU

GAMBIA

TOURAY

GHANA

EDIH
OYE-MANSA
ABASS

GUINEA

DIALLO
KEITA
DIARSO
GUISSÉ

HAITI

DENIS
MADISTIN
DANIEL
CASSEUS
ALEATE
AZOR-CHARLES

JAMAICA

SANDERS
CLAUDIA BARNES

CAMEROON

BAH
BYAKOLO
NGONO

CAPE VERDE

MARTA

KENYA

KOMBO
MWANZIA
MASYA
WETANGULA
M'MELLA
KARUGU

COMOROS

RACAR
SOILIH
HADU

CONGO

BOMBETE
BONGO
GANFINA
BOBIBA
BOUITI
OBIA

CONGO, D. R.

TSHIBOLA

LESOTHO

MOTANYANE
MAEMA-KOENIG

LIBERIA

WILLIAMS
DUKULY
TOURSAND
TOOMEY
WILLIAM

MADAGASCAR

RABARIVOLA

MALAWI

NJOLLA

MALI

GAEVU
AF
CAVUAVO
DIAKITE
ISSA
DIALLO

MAURITIUS

BERENGER
HOSSEN
JAGARNATH
SOOBN

MOZAMBIQUE

ERNESTO
ZAQUEU
BAUZE

NIGER

SOULEY
HAMMA

NIGERIA

ADECBAYO
S.A.D. OLISA
OMOTOSHO
OKUJAUCÉ
OTHMAN
DAMA

PAPUA-NEW GUINEA

PEPSON

RWANDA

SAFARI
RUTAREMARA
BAKURAMUTSA

SOLOMON ISLANDS	SOUTH AFRICA	TANZANIA
MA'AHANVA	MBUYAZI	SLAA
SENEGAL	ALANT	TOGO
AGNE	SURINAME	GBONE
ZIMBABWE	SARDJOE	BONTCHI
KURUNERI	RAMKLELAWAN	AGBOLI
		LAWSON
SUDAN	SWAZILAND	UGANDA
IBRAHIM		RWAKOJO
AMBROSE	DLAMINI	LUBEGA
ATTBANI	NTSHANGE	NUAM

ACP-EU COUNCIL OF MINISTERS

FERRERO-WALDNER	President-in-Office of the EU Council
HAMUTENYA	President-in-Office of the ACP Council
WALL	Director — Parliamentary Affairs
BEL	Head of Division, DG I
WALDRON	Principal Administrator

EU COUNCIL

BJØRNEKÆR	Director — DG I
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EUROPEAN COMMISSION

Prof. PINHEIRO	Commissioner responsible for External Relations, ACP, South Africa and Lomé.
LOWE	Director-General, DG VIII
DG PETIT	DG VIII
FEUSTEL	DG VIII
TISON	DG VIII
MAGHIOROS	DG VIII
KNORS	DG VIII

ECONOMIC AND SOCIAL COMMITTEE

MALOSSE	Director of the French Chamber of Commerce and Industry
BAEZA	Member of the Economic and Social Committee
de PAUL de BARCHIFONTAINE	Secretary-General, Belgian Agricultural Alliance
BENCE	External Relations Secretariat

TECHNICAL CENTRE FOR AGRICULTURAL DEVELOPMENT AND COOPERATION (TCA)

BURGUET	Chairman of the ACP Conference of National Chambers of Commerce and Industry and other Economic Operators (Zimbabwe)
COOKE	Director
SIKKENS	Head of the Brussels Office

ACP SECRETARIAT

MAGANDE	Co-Secretary General
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EU SECRETARIAT

PRIESTLEY	Co-Secretary General
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NGOs

MURIU	ENDA
NKOYOK	CONGAC
BISPHAM	CPDC
TEVI	PCRC
SCHNEIDER	Network Aprodev
LARYEA	Network Eurostep
MACKIE	NGO-EU Liaison Committee
BIESSMANS	NGO-EU Liaison Committee

ANNEX III

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RESOLUTION⁽¹⁾

on Intra-ACP cooperation

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
- having regard to its report on Intra-ACP Cooperation (ACP-EU/2492/98),
- having regard to the 1975 Georgetown Agreement,
- having regard to the 1977 Suva Declaration,
- having regard to the 1980 Montego Bay Action Plan,
- having regard to the 1985 Harare Declaration,
- having regard to the 1997 Libreville Declaration by ACP Heads of State and Government,

- A. whereas the Georgetown Agreement established the ACP Group not only to contribute to the development of these States by fulfilling the objectives of the Lomé Convention but, importantly, and to the same end, by strengthening solidarity of its members and promote effective cooperation among them,
- B. whereas the Suva Declaration outlined a general action programme to serve as the basis for ACP cooperation and laid down six major areas of intra-ACP cooperation,
- C. recalling that these areas were:
- Transport and Communications,
 - Trade,
 - Development of Intra-ACP Enterprises and Co-Operation in Production,
 - Development Finance,
 - Technology, know-how and Technical Assistance,
 - Cultural, Educational and Scientific Co-Operation,
- D. whereas the Suva Declaration also stated that, in pursuing these policies, the promotion of cooperation at a regional level should be given special consideration,
- E. whereas the Montego Bay Action Plan aimed to establish effective intra-ACP cooperation within a period of five years,
- F. whereas the Harare Declaration, taking stock of achievements so far, emphasised the need for operational and practical cooperation measures that were consistent with the resources available to ACP States and the need for an appropriate institutional framework able to mobilise the necessary human resources to implement such measures,
- G. whereas, regrettably, the ambitions and hopes of intra-ACP cooperation, as enshrined in the cited Declarations and Action Plans, have so far had limited success,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

H. whereas the six above-mentioned areas of cooperation are not exhaustive and, particularly considering the profound changes which have taken place on the international scene and the opening up of cooperation to new players, a series of new areas should form an integral part of future cooperation; whereas the following areas should be treated as special priorities:

- democratisation, the rule of law, and good governance,
- safeguarding human rights, freedom of the Press, and freedom of information,
- eradication of poverty and access to basic services such as clean water, basic education, and universal health services,
- increased rights for women to enable them to achieve political, legal, social, and economic equality,
- participation of civil society and women in particular in the planning and decision-making affecting society at large,
- an economic and employment policy to counter underemployment and unemployment,

I. whereas a renewed and realistic effort to promote intra-ACP cooperation must be adapted to the financial, human and institutional resources available to ACP States,

J. whereas the fourth Lomé Convention will expire in the year 2000 and the next partnership agreement should include several features making ACP unity and solidarity even more important,

As regards intra-ACP cooperation in general:

1. Reaffirms the determination of the ACP Group to promote intra-ACP cooperation as a means to strengthen ACP solidarity and promote self-reliant development;

2. Believes that renewed emphasis must be placed on intra-ACP cooperation, especially in the light of most of the considerations relating to globalisation;

3. Endorses the view that cooperation at the regional level, which has experienced considerable success in recent years, should be the cornerstone of intra-ACP cooperation and the axis around which the bulk of EU support should be directed;

4. Believes this is particularly the case since the regional dimension is set to play an important part in the new ACP-EU Convention;

5. Believes that the regional dimension of intra-ACP cooperation is particularly important as it, apart from the well known developmental benefits, should also contribute to the following:

- Collective bargaining on the level of the region which could improve the economic position of ACP countries in the world economic system,
- Collective strength which could make it easier to resist pressures from the North and improve cooperation,
- Certain conflicts between and within states would be more easily solved within a regional framework;

6. Notwithstanding the fact that regional cooperation is and will be the cornerstone of intra-ACP cooperation, new and innovative forms of cooperation between the three ACP regions, and bilaterally, must receive renewed attention and support;

As regards obstacles to intra-ACP cooperation:

7. Is fully aware that the ACP countries face a number of difficulties which have slowed down the progress of intra-ACP cooperation;
8. Believes that these difficulties include, inter alia,:
 - the inadequacy of physical and social infrastructures, including transport and communications, which severely hampers exchanges among individuals, business players and nations alike,
 - the lack of energy at competitive costs in many cases, particularly for industrial use,
 - the unsatisfactory situation as regards general and vocational education and the inadequate availability of specialists,
 - disparities in resources, size and political influence within the ACP Group which means that objectives and means are not always the same,
 - the lack of peace and stable political conditions in several ACP countries which makes intra-ACP cooperation impossible,
 - the generally poor economic performance of many ACP states in recent years which have led to the downgrading in priority of intra-ACP cooperation;

As regards the political dimension

9. Endorses fully the renewed emphasis on the solidarity, integrity and unity of the ACP Group which was expressed during the last meeting of the ACP Council in Barbados, May 1998;
10. Believes not only that this aspect is fundamental in relation to the upcoming negotiations for a future cooperation agreement but is of fundamental importance for the long-term existence of the ACP group as a political entity;
11. Considers, furthermore, that it is of vital importance in assuring that the ACP side can fully give its impetus to the strengthened political dialogue which is likely to be one of the main features of the new partnership;
12. Is of the opinion that an element in the negotiations for a new partnership agreement should include an assessment of the legal and practical scope for joint action between the ACP and the EU in a number of issues of fundamental importance for the development of ACP countries, including, inter alia, WTO negotiations and rules and the Multilateral Agreement on Investment;
13. Believes that, as a fundamental basis, and to go hand in hand with the proposed reinforcement of the role of Joint Assembly as a whole, the strengthening of dialogue, links and coordination within the ACP side needs urgent attention and review;
14. Points out, for example, and as an indication of this need, that a large majority of resolutions which are discussed at the Joint assembly are initiated by the EU side; Considers, therefore, that measures enabling the ACP side to constructively seek ways of becoming more involved are called for;
15. In this respect, firmly believes that relations between parliamentarians is a crucial element of mutual understanding, solidarity and cooperation amongst the ACP countries;
16. Supports, therefore, the proposals to set up an ACP Parliamentary Assembly which would bring together the ACP members to great advantage, much in the same way as European members can benefit from dialogue, discussion, preparation and coordination within the European Parliament; believes this would significantly enhance intra-ACP cooperation and solidarity;

17. Takes the view that such an Assembly should be set up and financed exclusively by contributions from the ACP States themselves, so that its existence and work is truly a reflexion of the political will necessary to ensure its usefulness and sustainability; also believes that this would be necessary to guarantee independency of initiative and independency in policy/decision-making;

18. Considers that the role and functioning of the ACP Secretariat, which in most cases is the hub of coordination, urgently need to be reassessed so as to correspond more effectively to the needs of intra-ACP coordination;

As regards conflict prevention, management and resolution

19. Stresses the importance of including, one way or another, the relevant regional, sub-regional and local entities in prevention, decision-making, mediation, monitoring and peace-keeping in order to avoid local conflicts and, where they have already occurred, to achieve durable solutions;

20. Considers, in this context, that intra-ACP cooperation is an invaluable means of achieving peace and security in ACP countries, particularly in Africa;

21. Lends its full support to the strengthening of regional organisations, such as the OAU, CARICOM and the Pacific Forum, in conflict prevention, management and resolution; believes that this must be achieved under the auspices of the UN;

22. Expresses itself in favour, under the conditions set out above, of the proposal to set up regional listening-posts to monitor ethnic, linguistic, economic, social or religious tensions; believes that EU support for such arrangements should be one of the elements taken into account in the new ACP-EU agreement;

23. Completely shares the view, expressed by the European Parliament, that the ideas put forward by the Development Assistance Committee of the OECD for establishing resource management regimes to adjudicate over conflicts relating to shared resources, such as water, croplands, forests, should be explored further;

The current conflicts in the DRC and the Horn of Africa

As regards the situation in the Democratic Republic of Congo

24. Expresses its profound concern at the crisis in the area and appeals to all parties to do their utmost to find peaceful solutions in order to embark on a process of reconstruction, democratisation and reconciliation;

25. Condemns acts of violence against all civilians and urges all parties to respect human rights and humanitarian law no matter what developments take place;

As regards the conflict between Eritrea and Ethiopia

26. Urges the Governments of Eritrea and Ethiopia to abandon the use of force and to fully commit themselves to peaceful and legal means of resolving the border dispute; calls for an immediate cessation of hostilities and the beginning of negotiations with mediators;

27. Believes that it is instrumental that a solution involve independent and neutral mediation, and, subsequently, the demarcation of borders under the auspices of the United Nations; urges Eritrea and Ethiopia to immediately agree to such a process;

28. As called for by the High Commissioner for Human Rights, urges the Government of Ethiopia to respect international human rights norms in relation to ethnic Eritreans in Ethiopia;

As regards the traditional sectoral priorities of intra-ACP Cooperation, as identified in the Suva Declaration

29. Endorses the validity of the objectives established and underlines that their potential contribution to self-reliant development is more valid than ever before;

30. Is aware that the ambitions and hopes of intra-ACP cooperation in this field have, to a considerable extent, remained unfulfilled;

31. Believes that the modest success so far can be largely explained by a set of factors and circumstances which, since they are known, can now serve as guidelines for the future improvement of actions in this field;

32. Believes, particularly, that the following factors have contributed to the limited success of intra-ACP cooperation in these sectors so far:

— the worsening situation of many ACP states since the 1980s, including, inter alia: worsening terms of trade, unsustainable debt burdens, economic mismanagement and, more often than not as a result of ACP governments' failure to act decisively and pro-actively, the imposing of structural adjustment programmes which have had negative social effects, all of which have shifted the focus away from intra-ACP cooperation and toward national policies of short term survival,

— the original programmes as laid down in the Suva Declaration were too ambitious and would have required a large amount of human, financial and institutional resources that were not available to the ACP states;

33. Believes that the ACP states need to establish new, more pragmatic and realistic objectives for the programmes in this field, fully taking into account the human, financial and institutional capacities available;

34. Calls on the ACP Committee of Ambassadors to prepare a comprehensive analysis of actions so far, identifying the main problems, and, on the basis of this report, present a revised and more realistic action plan to the ACP Council;

35. Calls on the Commission to provide the Joint Assembly with an account of the funding accorded to intra-ACP cooperation under the Lomé 3 and 4 Conventions (excluding support which has gone specifically to regional cooperation and integration) and to state their view on the effectiveness of these programmes;

36. Believes that some areas, particularly transport and communications and intra-ACP enterprises and co-operation in production, should mainly be pursued within the context of regional cooperation and integration (and within the organisations set up for that purpose);

37. Believes that in order to achieve better progress and reach set objectives, the ACP group should consider identifying and giving specific priority, (as regards projects relating to intra-ACP cooperation and which are managed jointly by the ACP Secretariat and the Commission) to one sector at a time;

38. Also believes that in order to achieve good results, the ACP Group would have to:

- a) muster the necessary political will, at all levels, to successfully implement such policies, including a greater readiness to introduce practical measures to facilitate the flow of people, goods and services;
- b) mobilise, whenever possible, additional resources from the private sector and aim to include the private sector in relevant projects;

- c) assure coordination and participation of international and multilateral organisations whenever appropriate, such as, for example, UNESCO in matters of cultural cooperation;
- d) give serious consideration to the setting up an ACP Technical Assistance Programme in order to use existing ACP knowledge and expertise before having recourse to foreign assistance; In this context, asks the Commission to make all efforts possible to use ACP experts and firms in the planning and implementation of Lomé projects which are at present predominantly carried out by Europeans;

Examples of new areas of intra ACP cooperation:

As regards Civil Society Groups, NGOs

39. Believes that decentralised cooperation and civil society groups have a crucial role to play in finding solutions to many problems facing ACP countries, since they seek to promote measures and projects affecting the everyday lives of individuals; considers that, among other parties, regional and local authorities, associations, private initiatives, training establishments, nongovernmental development aid agencies, and activities organised by representatives of the poorest population groups should be encompassed within operations on the ground designed to further the above ends;

40. Underlines, at the same time, the importance of enhancing the capacities of legitimate states — especially at local level — proceeding in accordance with separation of powers and good governance, thus enabling dialogue and the definition of responsibilities which is fundamental to the development of civil society and to ensure complementarity between the state and NGOs;

41. Stresses, once again, that sustainable development, regardless of the problems to be tackled, can be achieved only with the resolute support of the population and the necessary processes of change will be impossible to accomplish unless the people accept and help to shape them and assume their share of responsibility; considers that measures and programmes to promote women, children and young people form an indispensable integral part of the development process; warmly welcomes the work done to date by NGOs in these areas which must receive renewed attention and support, as must bi- and multilateral cooperation with civil society; points out that the most powerful instrument to real gender equality is education, which merits special priority; maintains that education measures which foster greater self-reliance deserve particular backing;

42. Believes that measures to enhance cooperation between NGOs within, and between, the ACP regions should be encouraged and supported;

43. Believes, in particular, that such measures should include:

- support to strengthen networking capacity of NGOs,
- the sharing, updating and dissemination of information and experiences,
- establishment of databases;

As regards fisheries

44. Stresses the importance of intra-ACP cooperation as many concerns are common, the same species are at risk of over-exploitation in all areas, similar information gaps exist and scientific approaches to assessments of stock conditions are the same;

45. Warmly welcomes the cooperation taking place at regional level and believes that further progress in this field is crucial to the conservation and management of fishery resources;

46. Notes that, in terms of cooperation between the ACP regions, it would appear that there is further scope for cooperation between the Pacific and the Indian Ocean Regions, on the one hand, and 'Atlantic' Africa and the Caribbean, on the other;
47. Affirms that the management of marine resources is an important factor of local economic and social development of the coastal ACP countries;
48. Believes, therefore, that intra-ACP cooperation should also be encouraged in the areas of marine pollution control, human resource development and training and encouraging exchanges between fishworkers, particularly in the artisan sector;
49. Instructs its Co-presidents to forward this resolution to the ACP-EU Council and the Commission.

RESOLUTION ⁽¹⁾

on ACP-EU trade relations in the fisheries sector and the sanitary standards for the export to the European Union of fishery products

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
 - having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the export to the European Union of fishery products⁽²⁾, and Commission Decision 97/296/CE of 22 April 1997 drawing up the list of third countries from which the import of fishery products is authorised for human consumption⁽³⁾, as amended by Decision 98/419/CE of 30 June 1998⁽⁴⁾,
 - having regard to the resolution on ACP fisheries and the 8th EDF, adopted in Brussels (Belgium) on 20 March 1997⁽⁵⁾,
 - having regard to European Commission Decision No 97/20 of 17 December 1996 which lists the third countries from which imports of bivalve molluscs, tunicates, echinoderms and marine gastropods are authorised within the EU,
 - having regard to the resolution on ACP-EU cooperation in the fisheries sector beyond the year 2000, adopted in Lomé (Togo) on 29 October 1997⁽⁶⁾,
 - having regard to the Resolution No 1/LXV/97 on imports of fisheries products into the EU from third countries adopted by the 65th session of the ACP Council of Ministers held in Brussels from 21 to 23 April 1997,
- A. conscious of the importance of the fishery sector for the economic development of a number of ACP States, especially as regards foreign exchange earnings, employment opportunities, and the development in general of these countries,
- B. aware of the fact that fisheries exports may enter the Community market provided they meet EU sanitary and phytosanitary standards,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

⁽²⁾ OJ L 268, 24.9.1991, p. 15.

⁽³⁾ OJ L 122, 14.5.1997, p. 21.

⁽⁴⁾ OJ L 190, 4.7.1998, p. 55.

⁽⁵⁾ OJ C 308, 9.10.1997, p. 26.

⁽⁶⁾ OJ C 96, 30.3.1998, p. 32.

- C. recognising that modernisation of existing infrastructures, and the construction of new ones, especially canneries, require heavy capital investment to be carried by ACP enterprises in order to meet EU standards,
- D. worried that Community health conditions for the export of fishery products may drive artisanal fish products out of trade with the EU, as the volumes involved would not warrant the investment required to meet these standards in enterprises marketing artisanally caught fish,
- E. having regard to the possibilities provided by the EDF for assisting the ACP fisheries sector,
1. Affirms that sanitary and phytosanitary regulations must not be used as non-tariff barriers to ACP exports to the EU;
 2. Expresses concern at the fact that the implementation of European Commission Decision 98/419/CE of 30 June 1998, with effect from 1 July 1998, is seriously affecting the export earnings and jeopardising the considerable investment made in the fishery export sector of some ACP States, which are not on the List of Third Countries authorised to export fish and fishery products or the third country list authorising the export of marine gastropods, including conch, to the EU, and has led to the laying-off of employees in some ACP and EU companies; companies in some of these States had been exporting fish and fishery products to the EU for over a decade, during the course of which relations of mutual trust and confidence had been built up with partner companies in Europe;
 3. Affirms in this regard the need for coherence between the EU's stated development objectives, particularly the eradication of poverty, which is linked to the encouragement of small and medium sized enterprises, and its trade and trade-related policies and regulations;
 4. Emphasises the importance, within the context of the upcoming negotiations for a new partnership agreement, of according sufficient assistance to ACP countries wishing to create, maintain, extend or strengthen national legislation, as well as reinforcing the role of veterinary authorities capable of certifying exports bound for the Community;
 5. Asks the Commission to evaluate different ways of launching specific programmes of financial and technical assistance, and training so that affected ACP States will obtain the support necessary to meet Community health standards; particular attention should be given to artisanal and semi-industrial fish workers, who lack access to the necessary knowledge and finance; such programmes should not hamper the development and supply of local and regional markets which are necessary for local food security;
 6. Implores the Commission to expedite its consideration of those applications already made by ACP countries to be placed on the lists of third countries authorised to export fish, fishery products and the list of third countries authorised to export bivalve molluscs, tunicates, echinoderms, and marine gastropods, including conch, to the EU;
 7. Encourages ACP governments to take account of the development potential of the fishing sector and related services when deciding on the use to be made of resources allocated under the EDF;
 8. In this respect, consideration should be given to the different instruments available under decentralised cooperation and, particularly, to micro-credits;
 9. Asks the Commission to consult with ACP States, as provided for under Article 12 of the Lomé IV Convention, before putting forward proposals concerning sanitary legislation which may have an impact on trade;
 10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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RESOLUTION⁽¹⁾

on the effects of the euro on the ACP countries, including on the CFA franc

The ACP-EU Joint Assembly,

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. having regard to the introduction as of 1 January 1999 of the single European currency, which will progressively replace the currencies of participating countries on the basis of parities fixed definitively and irrevocably,
- B. having regard to the monetary cooperation agreements existing between France and 14 countries of West Africa, East Africa and the Indian Ocean meeting within the franc zone, a forms of cooperation based on fixed parity with the French franc and a guarantee of convertibility assured by the French Treasury,
- C. whereas the introduction of the euro as a currency of transaction will have a major impact at international level, in particular affecting the ACP countries, whose principal global trading partner is the European Union,
- D. whereas the stability expected to characterise economic and monetary union should benefit the Union's ACP partners not only in terms of trade, thanks to the reduction in exchange-rate risks, but also economically and financially by giving them the option of greater control over their external debt and balance of payments,
- E. whereas the franc zone states have expressed the wish to maintain the cooperation links that have existed between them for several decades,
- F. having regard to France's subsequent commitment to pursue monetary cooperation and maintain the guarantee by the public Treasury,
- G. having regard to the proposal for a Commission recommendation to the Council on future relations between the euro on the one hand and the CFA and Comoran franc on the other,
 - 1. Considers that the achievement of economic and monetary union in Europe, and more particularly, the introduction of a single currency, can have a favourable impact overall on ACP countries, in particular in relation to trade;
 - 2. Considers nevertheless that it will be necessary to dispel fears that have arisen in some ACP countries concerning in particular the impact of EMU on the volume of aid that Europe devotes to its partner countries' development;
 - 3. Welcomes the agreement in principle expressed by the Member States at the Ecofin Council of 6 July 1998 on the Commission proposal for a recommendation to the Council making it possible to retain the existing agreements between France and the countries of the franc zone, and making the signatories to these agreements responsible for their implementation;
 - 4. Also welcomes with satisfaction the fact that this recommendation provides for the Commission, the Economic and Financial Committee and the Ecofin Council to receive detailed information on the decisions adopted by France concerning the CFA franc;
 - 5. Calls on the Ecofin Council to do what it announced at its meeting on 6 July 1998 and, after consulting the European Central Bank in autumn 1998, take an official decision on future ties between the CFA franc area and the euro;

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

6. Calls, moreover, on the European Commission to verify and appraise exhaustively the practical aspects of the introduction of economic and monetary union likely to have an adverse impact on ACP-country interests, and to draw up proposals for mitigating the difficulties thus identified;
7. Calls on the Commission to inform the Joint Assembly at its next meeting on the potential effects of the inclusion of the CFA Franc into the euro, both in terms of the social and economic consequences for the CFA countries;
8. Calls on the Commission to evaluate the impact of this development on trade flows and the potential distortion in competition between CFA and non-CFA countries in the region;
9. Points to the importance of sound financial and budgetary policy and therefore looks to the ACP States to pursue coherent economic and monetary policies in order to bring about and consolidate the stability required to meet the challenges of globalisation and international competitiveness;
10. Points out that the ACP States also have the task of establishing propitious economic conditions to promote sustainable development and creating a favourable climate for investment by clearing away administrative hurdles, adopting comprehensible investment laws, and issuing aid programmes;
11. Points out that a coherent economic and monetary policy is also a key means of promoting closer regional economic integration;
12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, and the Ecofin Council.

RESOLUTION⁽¹⁾

on the effects of the euro on ACP countries and the franc zone

The ACP-EU Joint Assembly,

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

— having regard to the Maastricht Treaty, in particular Articles 109(5) and 234 thereof,

- A. having regard to the introduction as of 1 January 1999 of the single European currency, which will progressively replace the currencies of participating countries on the basis of parities fixed definitively and irrevocably,
- B. whereas the introduction of the euro as a currency of transaction will have a major impact at international level, in particular affecting the ACP countries, whose principal global trading partner is the European Union,
- C. whereas the stability expected to characterise economic and monetary union should benefit the Union's ACP partners not only in terms of trade, thanks to the reduction in exchange-rate risks, but also economically and financially by giving them the option of greater control over their external debt and balance of payments,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- D. having regard nevertheless to the fears expressed by ACP States of seeing EMU and the increased rigour it implies in the management of public finances exerting downward pressure on the flow of public finances and on the volume of development aid originating with the European Union and its Member States,
- E. having regard to the monetary cooperation agreements existing between France and 14 countries of West Africa, East Africa and the Indian Ocean meeting within the franc zone, a forms of cooperation based on fixed parity with the French franc and a guarantee of convertibility assured by the French Treasury,
- F. whereas the franc zone states have expressed the wish to maintain the cooperation links that have existed between them for several decades,
- G. having regard to France's subsequent commitment to pursue monetary cooperation and maintain the guarantee by the public Treasury, in accordance with the option expressly stipulated in Article 109(5) of the Maastricht Treaty,
- H. having regard to the proposal for a Commission recommendation to the Council on future relations between the euro on the one hand and the CFA and Comoran franc on the other,
1. Considers that the achievement of economic and monetary union in Europe, and more particularly, the introduction of a single currency, can have a favourable impact overall on ACP countries, in particular in relation to trade;
 2. Considers nevertheless that it will be necessary to dispel fears that have arisen in some ACP countries concerning in particular the impact of EMU on the volume of aid that Europe devotes to its partner countries' development;
 3. Calls, consequently, on the institutions of the European Union and those of the Member States, whether qualifying for the first stage of the euro or not, formally to undertake that they will maintain a volume of financial aid that will be equal to the challenges of lasting development in the ACP states;
 4. Calls, moreover, on the European Commission to verify and appraise exhaustively the practical aspects of the introduction of economic and monetary union likely to have an adverse impact on ACP-country interests, and to draw up proposals for mitigating the difficulties thus identified;
 5. Notes the resolve demonstrated by franc zone member states to pursue the monetary cooperation implemented under this framework, and welcomes in that connection the agreement in principle adopted by the Member States at the 6 July 1998 Ecofin Council on maintaining the existing agreements between France and the franc zone countries, management of which continues to be the responsibility of the latter;
 6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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RESOLUTION⁽¹⁾

on trade and development

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
 - having regard to its previous resolutions on international trade and on ACP-EU trade relations,
 - having regard to the joint declaration on the development of trade annexed to the Final Act of the revised Fourth Lomé Convention,
 - recalling the Beijing Declaration from the UN's Fourth World Conference on Women, Beijing, 4-15 September 1995, which encourages states, among other things, to 'seek to ensure that national policies related to international and regional trade agreements do not have an adverse impact on women's new and traditional economic activities',
- A. whereas it is essential to guarantee effective use of all the instruments proposed by the Convention in order to develop trade and services and whereas improving the competitiveness of the ACP States is the key to all future success of the development of trade,
- B. whereas the development of trade and services is crucial for the growth of the ACP economies, their smooth and gradual integration into the world economy and the alleviation of poverty in these states,
- C. stressing the value and importance of the preferential access regime which applies to the ACP countries, and recognising that hitherto this regime has tended particularly to favour exports of raw materials rather than manufactured goods and/or services,
- D. whereas the preferential access arrangements contribute to socio-economic development and to the establishment of the stable and predictable environment which is a necessary precondition for investment and enhanced competitiveness and being fully aware of the catalytic role which the involvement in the widest field of services could play in the competitiveness and development of ACP countries,
- E. having regard to the need to ensure that European Union policies are consistent with the objectives of development cooperation,
- F. aware of the fact that the World Trade Organisation's Third Ministerial Conference will take place in autumn 1999,
- G. stressing the importance which the European Union should attach to maintaining its commitments to its ACP partners, given that it might enter into commitments *vis-à-vis* other partners, particularly in connection with new free trade agreements and the WTO system,
- H. whereas the Lomé Convention offers the ACP countries terms of access to the EU market which are more favourable than those laid down by the WTO and whereas indiscriminate enforcement of WTO rules might jeopardise the sustainable development of the ACP countries,
1. Calls on the European Union to make the negotiations on the new Convention the occasion to reaffirm the priority of its trade commitments to the ACP countries, proceeding in accordance with a comprehensive strategy to eradicate poverty and ensure that trade, services and investment become genuine instruments of human, social and economic development;

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

2. Calls on the Commission to ensure that the future ACP-EU Convention includes provisions which will enable the objectives set at UN conferences (in particular the commitments made at Rio in 1992 and Copenhagen in 1995) to be achieved;
 3. Considers that account should be taken of the concerns which the ACP countries expressed at the Libreville Summit on the subject of the possible upset to their fragile, vulnerable economies and the possible collapse of the social fabric which may come about if the WTO rules and obligations were applied indiscriminately;
 4. Insists on the need to improve the current system of preferences and accordingly asks that trade agreements should offer the ACP States more effective arrangements, above all in those areas where this would be to the immediate benefit of the economies of the countries concerned, for instance in the services sector;
 5. Supports the position of the ACP countries by asking the EU to allow special, individual treatment of the developing countries in the application of the rules and regulations governing international economic transactions;
 6. Considers that the Commission's present timetable for creating reciprocal free trade areas compatible with WTO rules is extremely ambitious; calls on the Union and the ACP States collectively to negotiate a waiver within the WTO to ensure that a significantly longer transitional period is granted and existing non-reciprocal preferences under the Lomé Convention are extended and improved in regions where ACP producers have realistic prospects of increasing and developing their production;
 7. Calls on the European Union to support initiatives aimed at reinforcing the ACP group's ability to negotiate in the WTO;
 8. Calls on the European Union to strengthen its partnership with the ACP countries with a view to negotiating changes to the WTO rules;
 9. Calls for a substantial increase in public aid for development and for the allocation of additional resources under that heading to support diversification programmes;
 10. Calls for greater attention to be devoted in the future Convention to the objective of diversifying ACP production and the outlets therefor, without prejudice to compliance with minimum health and environmental standards;
 11. Considers that the primacy of the sustainable development objective must be affirmed and incorporated into the statutes and policies of international institutions and into the agreements relating to the functioning of world trade;
 12. Urges that the emphasis be placed on support for regional integration in order to ensure that integration processes are politically, economically and socially sustainable;
 13. Urges the European Union and the ACP governments to take gender into account in all their trade and economic policies;
 14. Requests the European Union to identify and support actions and projects which enable women in ACP countries to make their voices heard, and which ensure their participation in financial and economic decision-making;
 15. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, and the Commission.
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RESOLUTION⁽¹⁾

on the Multilateral Agreement on Investment

The ACP-EU Joint Assembly,

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. whereas, for nearly three years, a Multilateral Agreement on Investment (MAI) has been under secret negotiation within the Organisation for Economic Cooperation and Development (OECD),
- B. whereas the MAI is an initial attempt to bring together multilateral rules in three areas: protection of investment, liberalisation of investment and settlement of disputes,
- C. whereas the aim of this agreement is to place all investors on an equal footing, thus in effect giving full rights to multinational companies at the expense of states and their peoples,
- D. whereas the globalisation of markets as conceived by the economic and financial powers represents a major political risk in that it places commercial and economic considerations above political, social and environmental considerations,
1. Calls for all states, including the developing countries, to be party to the negotiations and considers that, these days, the most appropriate international forum for negotiating an international convention on investment is the UNCTAD (United Nations Conference on Trade and Development);
 2. Calls for such a convention to be subordinate in law to multilateral agreements and resolutions on the environment, consumer protection, social and cultural rights and the rights of the individual;
 3. Considers that an agreement on investment should begin by setting out its objectives and should define the rights and duties of investors and governments, and also that human progress should prevail over economic constraints, for which reason social, environmental and fiscal dumping should be banned;
 4. Calls for all countries which are party to the Convention on the MAI to be able to maintain or adopt legislation which is compatible with the above objectives and for all countries to be able to require any investor arriving on their territory to produce results;
 5. Maintains that, as regards the protection of public health and the environment, the principle of caution must be an unbreakable rule;
 6. Calls for the use of identical technical standards (as regards the protection of workers and the general population) to be made compulsory for multinational companies, irrespective of the country in which they invest;
 7. Considers that the settlement of disputes should entitle any country, on its initiative or at the request of an investor under its jurisdiction, to take action against any other country or investor and that the arbitration body should be set up with the approval of a substantial majority of signatories;
 8. Considers that any state which is party to the Convention must be entitled to specify the exceptions which it regards as necessary to the continuation of its development policies;
 9. Considers that the Convention on the MAI must not affect the right of regional organisations to conduct such investment policies as they judge to be in accordance with the common interest of their members;

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

10. Considers it important that accession to the Convention should involve a prior democratic debate in each country and an assessment of the impact on laws and policies currently in force;
11. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

RESOLUTION⁽¹⁾

on the situation in Kenya following the mission by the Co-President, Lord Plumb

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
 - having regard to the invitation to the Co-President from the government of Kenya to visit that country,
 - having regard to the mission to Kenya by the Co-President from 3 to 8 September 1998,
 - having regard to the very complete programme for the mission, which included meetings with H.E. President Daniel Arap Moi, the Speaker of the National Assembly, the Ministers responsible for Finance, Planning and National Development, East African and Regional Cooperation, Information and Broadcasting, Internal Security, the Attorney General, the Assistant Minister for Foreign Affairs, the Leader of the opposition, leading figures of the principal political parties, representatives of the Churches, representatives of women's organisations, representatives of both national and international NGOs, representatives of the IMF and the World Bank, and the Diplomatic representatives of the EU Member States,
- A. recognising the key role played by Kenya in the East African region and its importance for the Great Lakes Region and the Horn of Africa,
1. Stresses the importance of maintaining the stability of Kenya, situated as it is in an area of Africa beset by conflicts and instability;
 2. Notes with approval that Kenya is now a much more open and free society than it had been in the recent past, and that there are now no political prisoners in the country; congratulates both the Kenyan government and the opposition on this positive evolution;
 3. Welcomes the progress being made towards constitutional reform, and notes that both the government and the principal opposition parties are in broad agreement regarding the modalities for revising the Constitution;
 4. Expresses its deepest sympathy with the Government and people of Kenya, and with the Government and people of Tanzania, both of which are facing up to the carnage wrought by the despicable bomb blasts in Nairobi and Dar es Salaam on 7 August 1998; notes that while the Nairobi blast killed 255 people and injured some 5 000 people, it gave rise to a new spirit of national unity and collaboration between the different political parties that augurs well for the future of Kenyan democracy;
 5. Urges the European Union and its Member States to provide timely material assistance to those affected by the Nairobi and Dar-es-Salaam bomb blasts, and to assist in the rehabilitation and reconstruction effort;

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

6. Acknowledges that considerable advances have been made with regard to law reform, notably with the removal of restrictions on the holding of public meetings and the abolition of the offence of sedition, encourages the Kenyan government and Parliament to press ahead vigorously with further legal reform, including the revision of the press laws;
7. Notes that the press is remarkably free in Kenya, while the broadcast media is under greater Government influence; encourages the Minister responsible to grant licences to truly independent operators for the new local television and radio stations that should be authorised to begin broadcasting in the near future;
8. Notes with approval that the inter-tribal clashes in the Rift Valley that took place just after December 1997 elections were much more firmly dealt with by the government than was the case for the 1991/1992 clashes when thousands were driven from their lands, often for political reasons; welcomes the setting up of a judicial enquiry into the causes of the recent clashes;
9. Sees the need for radical improvements in policing and the provision of increased resources for the judiciary and the prison service; calls for steps to be taken to improve morale and conditions of employment and accommodation for the police, members of which have on several occasions, been responsible for human rights abuses; notes with approval that policemen accused of human rights abuses have been prosecuted and when found guilty, dismissed or demoted;
10. Notes that the Kenyan economy is in a serious condition, a situation exacerbated by interest rates standing at some 27 %, and wide scale corruption; encourages the Kenyan authorities to adopt the necessary difficult measures, as laid out in the Minister for Finance's recent budget speech, aimed at
 - balancing the budget to eliminate the fiscal deficit,
 - reducing government borrowing,
 - lengthening the maturity of domestic debt,
 - reducing domestic interest rates,
 - improving the availability of credit to the private sector, these objectives to be achieved through
 - revenue consolidation,
 - public expenditure reduction,
 - combatting corruption,
 - speeding up privatisation,
 - tightening up the administration of customs and excise,
 - reforming the civil service,
 - reforming local government;
11. Believes that until the necessary reforms can be brought about, and interest rates lowered, it will be difficult to encourage foreign companies to invest in Kenya, and to discourage Kenyans from investing abroad;
12. Encourages the further privatisation of inefficient state companies, notably the railways;
13. Supports the Government of Kenya in its determination not to give way to high wage increase demands, notably in the public sector;

14. Stresses the importance of the rule of law, and of effective law enforcement; welcomes the Kenyan government's recognition that corruption is a serious problem and encourages the government to tackle corruption vigorously, inter alia by giving real power to the anticorruption authority and by ensuring that it is itself above reproach with impeccably correct commissioners and staff;

15. Recognises that the degraded state of Kenya's transport infrastructure inhibits economic development; notes that a major project to rehabilitate the main Nairobi-Mombasa road out of EDF funds is currently being examined by the Commission's services; points out that unless the rules governing lorry loads and axle weights, which lead to road deterioration, are scrupulously respected, international donors, including the EU would be reluctant to put money into further road projects;

16. Acknowledges the fact that political stability has resulted in Kenya being a haven for refugees from troubled areas, notably Somalia, which imposes a strain on both internal security and the economy; calls on the international community, including the EU and its Member States, to continue to support these refugees, and to assist the local populations in the areas in which there are high concentrations of refugees so that disparities in the level of services provided to the refugees do not lead to greater resentment, tension and unrest on the part of the local people;

17. Congratulates the Kenyan government and people on its progress towards democracy, openness and improved respect for human rights; points out that much remains to be done and that courageous action will be needed in the coming years if Kenya is to become a full, free democracy governed at all times by the rules of law; recognises that serious problems still exist with regard to the economy and corruption, and encourages the Kenyan authorities to take courageous action to achieve a satisfactory level of economic growth and to effectively combat corruption.

18. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

RESOLUTION ⁽¹⁾

on the conflict between Ethiopia and Eritrea

The ACP-EU Joint Assembly,

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

— having regard to the OAU decision to set up the OAU committee of Heads of States and its continuing mediation efforts,

A. deploring the outbreak of hostilities between Eritrea and Ethiopia, which has already resulted in a very high toll of military and civilian victims and greatly worsens the political situation in the Horn of Africa,

B. deploring bombing raids on both sides that caused the loss of many lives among the civilian population and forced part of the population to flee,

C. profoundly disturbed at the reports of abuses and human rights violations being perpetrated,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- D. recalling that after Eritrean independence in 1993, a boundary commission was set up and was meeting without major incident until a few days before the military clash took place in May 1998,
- E. recalling, however, that the last fighting between the two countries took place on 15 June and that Ethiopia and Eritrea have maintained the status quo since then,
- F. deeply concerned at the risk of further escalation in the fighting, despite various mediation attempts and the urgent appeals from the international community as a whole, and the consequent danger that the entire region might be destabilised and have to suffer the resulting long-term implications,
1. Roundly condemns the outbreak of hostilities between Ethiopia and Eritrea and addresses an urgent appeal to both parties to declare a complete and immediate cease-fire and state their willingness to seek a peaceful political solution to the territorial disputes;
 2. Calls for an immediate end to all arbitrary actions and human rights violations (arbitrary expulsions, detention, deportation, and the like) being perpetrated;
 3. Calls on the governments of Ethiopia and Eritrea to reopen their direct dialogue and keep alive the international mediation efforts;
 4. Considers that the territorial conflict between these two countries must be settled by negotiation in order to find a lasting peaceful and political solution to the problems between the two parties, and urges the two parties to settle the border dispute through the boundary commission with the help of mediators and/or through the International Court of Justice;
 5. Considers that, above and beyond the settlement of the border issue, only a clear definition of the rules governing the economic and political relations between the two countries will bring about a lasting peace, and those rules must be drawn up in a way which involves the democratic participation of the peoples concerned and on the basis of respect for both countries' legitimate interests;
 6. Supports the mediation moves being proposed by the Organisation of African Unity and other mediation efforts undertaken at international level and calls on the Council of the European Union and on the Organisation of African Unity to put pressure on the two countries to accept a political settlement of this conflict;
 7. Calls on the Council to take any useful measures to support the process of mediation by the Organisation of African Unity and to take any measures, in regard to the two parties, which promote a swift and sustainable settlement of the conflict;
 8. Calls on all political forces and all the components of civil society in Ethiopia and Eritrea to do all they can to initiate a policy of constructive dialogue with their respective governments and to refrain from any act which may lead to a dangerous escalation of the conflict;
 9. Calls on the Commission to give consistent support to the humanitarian actions on behalf of the victims of this conflict, in particular the operations of the World Food Programme, with a view to replenishing stocks and setting up an efficient system of aid distribution;
 10. Calls on the parties in conflict to respect fully international humanitarian law and call on them to cooperate fully with the humanitarian organisations operating on their territory with the aim of providing aid to the inhabitants who have been hard hit by the conflict;
 11. Resolves to send as a matter of urgency a joint mission of the ACP-EU Bureau to Eritrea and Ethiopia to ascertain the real causes of the conflict and the human rights conditions in both countries;
 12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations, the OAU and the governments of Ethiopia, Eritrea, the United States and Djibouti.

RESOLUTION⁽¹⁾

on the situation in Sudan

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
 - having regard to its past resolutions on Sudan,
 - having regard to the declaration of 1 May 1998 by the Presidency of the European Union,
- A. deeply concerned at the civil war which has continued in Sudan for more than 14 years and which has caused immense human suffering, particularly among civilians, gross human rights violations from all parties involved in the conflict, massive displacement, and a breakdown of economic and social structures,
- B. particularly concerned by the continuing deterioration in the humanitarian situation in southern Sudan, in particular in the region of Bhar-al-Ghazal, which threatens millions of people with starvation, and aware that the drought will only worsen the situation,
- C. outraged by the difficulties encountered by humanitarian organisations in transporting food aid and medicines, and even more so by their diversion,
- D. recalling in particular its condemnation of the repressive and anti-democratic actions of the Sudanese Government, which have taken the form of repeated violations of human rights (particularly political and religious rights), forced conscription (particularly of children) and support for international terrorism, in contempt of the numerous warnings and sanctions imposed by the international community,
- E. moreover, gravely concerned at the ongoing repression of Christians, as evidenced by the demolition of a number of Christian places of worship and the current attempts to discredit the Catholic Church,
- F. concerned at the mounting destabilisation in the Horn of Africa owing to the spread of the conflict to other border regions in Sudan (western and eastern Sudan) and the Sudanese Government's networking with rebel groups in neighbouring countries,
- G. reiterating its firm belief that the IGAD's peace initiative is the most effective means of achieving a permanent resolution of the Sudanese conflict and recalling that, at the end of the negotiations held in early May in Nairobi under the aegis of the IGAD, the Sudanese Government and the Sudanese People's Liberation Army reached agreement on the principle of a referendum on self-determination, supervised by the international community, to be held after a transitional period, the duration of which is still to be determined,
1. Once again forcefully condemns the Sudanese Government for its repeated violations of human rights and its undeniable support for international terrorist organisations;
 2. Calls on the conflicting parties to continue negotiating under the authority of the IGAD in order to overcome the differences which still divide them and to work unrelentingly towards a peaceful settlement of the conflict which will put an end to the sufferings of the Sudanese people;
 3. Calls on the Commission and the Member States to allocate emergency humanitarian aid as quickly as possible in order to save the lives of the afflicted peoples, to maintain sanctions and to suspend development co-operation until the Government of Sudan refrains from human rights violations and the denial of humanitarian relief to its own people;

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

4. Calls on the conflicting parties to work together, without reservations or conditions, to supply and deliver humanitarian aid and to guarantee freedom of access and movement for humanitarian agencies in the areas affected by food shortages;
5. Calls on the Sudanese Government to comply with UN Security Council Resolutions 1058 and 1070 by ratifying and implementing the UN Convention against torture and other cruel, inhuman or degrading punishment or treatment and by safeguarding human rights, respecting the rights of religious minorities, releasing unconditionally all political prisoners and extraditing the three persons suspected of involvement in the assassination attempt on President Mubarak of Egypt;
6. Furthermore, calls on the Government of Sudan to prohibit all financial, military and economic activities of terrorist-related groups in Sudan and to participate fully and sincerely in the international fight against terrorism;
7. Instructs its Co-Presidents to forward this resolution to the Council, the Commission, the UN Secretary-General, the IGAD Member States, the Government of Sudan and the leaders of the Sudanese People's Liberation Army (SPLA).

RESOLUTION⁽¹⁾

on the situation in the Great Lakes Region and the Democratic Republic of Congo in particular

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
 - recalling its previous resolutions on the situation in the Great Lakes Region and in the Democratic Republic of Congo in particular,
- A. deeply concerned at the persistent instability in the Great Lakes Region and at the grave situation in the Democratic Republic of Congo in particular,
 - B. noting with concern the involvement of foreign forces in the conflict,
 - C. concerned by the serious destabilisation caused in the Democratic Republic of Congo by the presence on its territory of many rebel groups which use this country as a base for their offensives both within Congo and against the neighbouring countries,
 - D. concerned by the fact that these rebel groups use the civilian population as hostages and enrol even children in their forces; concerned also by the many civilian casualties which result from these activities,
 - E. stressing that the European Union must play an active role in order to ensure peace, security and stability in this part of the world,
 - F. whereas on 31 August 1998 the UN Security Council demanded an immediate ceasefire, the withdrawal of all foreign forces and the opening of a political dialogue to put an end to the civil war; whereas on the same occasion it also upheld the territorial integrity of the Democratic Republic of Congo and all regional diplomatic initiatives towards a peaceful settlement of the conflict, and called again for an international Conference on Peace, Security and Development in the region to be organised by the UN and the OAU,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- G. whereas any negotiated settlement in the Democratic Republic of Congo must be based on a process of national reconciliation which fully respects the equality and the harmonious coexistence of all ethnic groups, allows for the return and reintegration of refugees and displaced persons, and leads to the holding of early free and fair democratic elections,
- H. whereas the continuing presence of refugees in the Great Lakes Region, due to the persistent ethnic violence and gross human rights violations that have characterised the recent history of Rwanda, Burundi and Democratic Republic of Congo, has resulted in a tremendous humanitarian crisis, which requires the urgent attention of the international community as well as full and unconditional access to be granted to humanitarian agencies and personnel,
- I. whereas the EU, in the last four years, has contributed an amount of ECU 593 million for humanitarian aid in the region; deploring, despite this aid, the lack of a Council initiative on the conflict in Congo, and wishing to see a European Union initiative addressed to all the African countries involved in the crisis,
- J. regretting the fact that the mediation efforts undertaken since the start of the conflict have ended in failure and that the warring factions have not agreed to a ceasefire,
- K. mindful of the acts of violence and grave human rights violations committed against civilians and prisoners alike in the region,
1. Condemns all the human rights violations, summary executions, torture, harassment, ethnically motivated arrests of civilians, enrolment of children as soldiers as well as ethnic propaganda and incitement to ethnic violence, which have been openly committed in this conflict;
 2. Calls for an immediate ceasefire and for the immediate withdrawal of all foreign forces as well as for full respect for the territorial integrity of the Democratic Republic of Congo;
 3. Insists that any peace talks have to involve all parties to the conflict and must be based on the principles set out in the Security Council Declaration of 29 August 1998, in particular full respect for the peaceful coexistence of all ethnic groups and the holding of free and democratic elections as soon as possible;
 4. Welcomes the recent allocation of EUR 55.5 million in humanitarian aid by the Commission and calls on the EU to put pressure on all parties to the conflict to fully respect humanitarian law and to guarantee the forwarding of humanitarian aid and the security of humanitarian personnel;
 5. Calls on the EU to support fully the UN initiative for an international Conference on Peace, Security and Development in the region, which must address in particular the problem of refugees and displaced persons in the region;
 6. Calls for a Council initiative on the conflict in Congo and considers that a European Union initiative is needed, addressed to all the African countries involved in the crisis;
 7. Considers that ACP-EU cooperation with the Democratic Republic of Congo is vital in supporting the democratisation and development of a country which is recovering from a dictatorship and stresses that an end to all military hostilities, respect for international humanitarian conventions and human rights and the establishment of democratic institutions are prerequisites for the implementation of such cooperation;
 8. Instructs its Co-Presidents to forward this resolution to the Commission, the Council, the ACP-EU Council of Ministers, the UN, OAU and SADC Secretaries-General and the governments of the Democratic Republic of Congo, Angola, Zimbabwe, Namibia, Rwanda, Uganda, Burundi, Tanzania and South Africa.
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RESOLUTION⁽¹⁾

on Congo (Brazzaville)

The ACP-EU Joint Assembly,

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

— having regard to its previous resolutions on Congo (Brazzaville),

- A. recalling that since 1993 Congo has experienced a series of events and bloody confrontations which have culminated in the emergence or strengthening of various militias, frequently recruited on an ethnic basis,
 - B. deploring the population exoduses, especially in the capital, Brazzaville, during the civil war that began on 5 June and ended on 15 October 1997,
 - C. noting a stabilisation in the political situation since the end of this conflict and some return to normality in the capital, Brazzaville,
 - D. having regard to the Fourth Lomé Convention, especially Article 5, in which the signatory states undertake to respect political rights and democratic principles,
 - E. noting the establishment by the new authorities of a government of national unity and the holding of a forum of national reconciliation to formulate procedures for a three-year transitional period to pluralistic elections supervised by Parliament,
 - F. recognising the new government's efforts to devise a reconstruction programme and to resume relations with the international financial community,
 - G. having regard to the operations to disarm the militias, which have been under way since the end of the recent war,
 - H. concerned at the dangers of destabilisation in a region already ravaged by wars and ethnic conflicts, which continue to rage in neighbouring countries,
 - I. deploring the Council's lack of initiative with regard to the crisis in the subregion,
1. Calls on the Congolese authorities to continue to implement a programme for the full restoration of the rule of law and democratic institutions, recalling that the holding of free and democratic elections is a more effective means of guaranteeing stability and economic and social development;
 2. Urges the international community, in particular the European Union, to keep a close watch on the organisation of the elections and, at subsequent stages, to provide assistance in keeping with the institutional system established by the Congolese authorities;
 3. Calls for the situation in Congo to be assessed in the context of a regional approach;
 4. Calls on the Commission to seek resumption of technical and financial cooperation with Congo, to support the reconstruction programmes needed for any economic and social recovery, consolidating the democratic process, the starting-point for national reconciliation and the drive to eradicate all forms of corruption;
 5. Calls on the Congolese authorities to complete the operations to disarm and disband the militias, given that they could still jeopardise the stability of the country;

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

6. Calls on the Joint Assembly to undertake a fact-finding mission to Congo;
7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the Secretaries-General of the United Nations and the OAU, and the Congolese authorities.

RESOLUTION⁽¹⁾

on Nigeria

The ACP-EU Joint Assembly,

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. whereas the democratic process in Nigeria was brutally interrupted in 1993 by the cancellation of the results of the presidential elections and the establishment of a military regime under General Abacha,
 - B. welcoming the significant changes that have taken place in Nigeria since General Sani Abacha's death in June this year and the Nigerian government's announcement of the forthcoming elections, the adoption of a new transition programme and its promise to respect freedoms of expression and association,
 - C. expressing its regret over the death of Chief Moshood Abiola when still in detention, whilst believing that the conditions of his incarceration contributed significantly to his early death, and extending its deepest sympathies to his family,
 - D. welcoming the Nigerian Government's decision to release a significant number of political prisoners, including 21 Ogonis,
 - E. having regard to the need to restore a genuine civilian and democratic government in Africa's most populous country,
 - F. whereas the European Union has imposed sanctions on Nigeria and suspended cooperation under the Lomé Convention,
 - G. welcoming the recent announcement by General Abubakar of a new transition programme, his presentation of the draft of a new democratic Constitution and his commitment to hand power to a civilian government in May 1999 after elections to be held under international monitoring,
1. Calls on the Nigerian Government to ensure that all stages of the electoral process are transparent and that the credibility, independence and integrity of the Independent Nigerian Electoral Committee is guaranteed, including the hiring of its staff and employees;
 2. Calls on the European Union to offer its technical support to the Nigerian Government in order to ensure that the electoral process conforms to international standards;
 3. Calls on General Abubakar to continue with his political dialogue with all the various segments of the Nigerian people in order to complete the transition to democratic government based on the rule of law;
 4. Calls on the military government to maintain its commitment not to interfere in the free formation of new political parties and in a free electoral process and to respect human rights, including freedom of expression, association and assembly;

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

5. Welcomes the release of several political prisoners, including the former Nigerian Head of State, General Obasanjo, and calls for the release of all political prisoners;
6. Calls on the Nigerian Government to repeal all decrees ousting the jurisdiction of the courts, suspending constitutionally-guaranteed rights and allowing indefinite detention without charge or trial;
7. Points out that neither the sanctions imposed on Nigeria by the international community, and the European Union in particular, nor the suspension of cooperation with the country under the Lomé Convention can be lifted until human rights violations have ceased and there is a return to the rule of law and the prospect of the establishment of a legitimate civilian government;
8. Calls on the European Union to maintain the budget line entitled 'The Special Programme for Democracy in Nigeria' and calls on the Union to continue its efforts so that this budget line provides effective and targeted support to civil society in Nigeria;
9. Calls on the Council and the Commission to continue to follow the political situation in Nigeria closely, and to encourage General Abubakar to commit himself unequivocally to prosperity, freedom and democracy for the Nigerian people;
10. Calls on the Nigerian authorities unreservedly to accept the visit of a joint ACP-EU fact-finding mission in order to promote constructive political dialogue and the progress towards democracy;
11. Calls for immediate access to Nigeria to be granted unreservedly to the UN Special Rapporteur;
12. Calls once again on the European Commission to agree clear benchmarks before the Nigerian elections to assess whether a genuine and credible transition to democratic civilian rule has occurred; suggests that such benchmarks should include, inter alia:
 - an agreed legal basis for the election corresponding to international 'norms' such as those set down by the UN Human Rights Committee in its General Comment, 25(57),
 - a genuinely independent electoral commission,
 - an agreed process for establishing and finalising the electoral roll,
 - a process for the participation of political parties which allows all parts of the political spectrum to participate in elections,
 - the employment of impartial, independent observers to monitor the election process and to report on its conformity with internationally respected criteria and norms,
 - the release of all remaining detainees and political prisoners,
 - a halt to detention without trial,
 - the repeal of repressive decrees and, in particular, those which have suspended constitutional guarantees enshrining fundamental human rights and the position and independence of the judiciary,
 - freedom of expression and political assembly,
 - freedom of the press and balanced access to the state media;
13. Calls on oil companies which operate in Nigeria to respect and support international standards of human rights, and international environmental and consumer standards in the course of their operations in Nigeria, and calls on those oil companies to produce regular reports of their activities which specifically address these issues and their relation to the oil producing communities to include publication of all Environmental Impact Assessments undertaken by these companies in Nigeria over the last five years;

14. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations Security Council, the United Nations in Geneva, the OAU, the Nigerian Government, The Commonwealth Secretariat, the UNHCR and the ECOWAS Secretariat.

RESOLUTION⁽¹⁾

on the situation in Guinea-Bissau

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
- having regard to the statements by the Presidency on behalf of the European Union on the situation in Guinea Bissau,
- having regard to the recommendations made by the Council of Foreign Affairs and Defence Ministers of the countries of the Economic Community of West African States meeting on 3 July in Abidjan,
- having regard to the Praia Declaration adopted by the Heads of State and Government of the Community of Portuguese Language Countries meeting in Cabo Verde from 13 to 17 July 1998,
- A. concerned at the conflict which has been going on since 7 June 1998 with the direct involvement of foreign military forces and which has caused the loss of a large number of lives, the emergence of thousands of refugees, the destruction of infrastructures and material goods on a vast scale and the total paralysis of the country's social and economic activity,
- B. anxious to avoid a conflagration in the region, the stability of which could be endangered by the continuation of the conflict,
- C. extremely concerned by the threat to the lives of innocent civilians as a result of military operations which violate fundamental international humanitarian law,
- D. deploring the blockage of international humanitarian aid to the populations in need by the warring parties, which has caused shortages of food and medicines,
- E. still concerned, however, at the situation of some 250 000 persons in the country who continue to live as refugees, in particular in the provinces of Bafata and Gabu, in conditions that remain precarious despite the opening up of humanitarian corridors enabling supplies of food and medicines to be forwarded to assembly centres,
- F. having regard to the memorandum of understanding signed by representatives of the Guinea Bissau Government and the military junta under the auspices of the contact group from the Community of Portuguese Language Countries (CPLP) on 26 July 1998,
- G. whereas, on 26 August 1998 in Praia, under the joint patronage of the ECOWAS mediation committee and the members of the CPLP, the conflicting parties signed a ceasefire agreement which follows on logically from the above memorandum,
- H. whereas this memorandum provides for an immediate cessation of hostilities, the opening of humanitarian corridors and the beginning of negotiations from 12 September in Abidjan,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- I. welcoming the European Commission decision to release emergency humanitarian aid in the amount of ECU 1 million,
1. Calls on the warring factions to maintain the cease-fire and to fully implement the memorandum of understanding reached on 26 August in Praia by the Guinea-Bissau Government and the military junta and calls for the immediate withdrawal of foreign forces;
2. Calls on the parties present to commit themselves unreservedly to the path of peace negotiations so as to find a lasting solution to the crisis and bring about, as soon as possible, the restoration of the rule of law and respect for human rights and the democratic institutions;
3. Welcomes the efforts at mediation deployed jointly by the CPLP contact group and the states of the sub-region within the ECOWAS mediation committee in an effort to consolidate dialogue between the different parties and find a peaceful resolution to the conflict; supports their joint mediation in favour of a peace plan meeting with the agreement of all parties at their next round of negotiations in Abidjan;
4. Insists that any lasting peaceful solution to the conflict requires a process of national reconciliation, leading to a political solution that will ensure the respect for the independence and territorial integrity of Guinea-Bissau, and the unconditional withdrawal of all foreign troops, without prejudice to any foreign presence which may be negotiated by both sides to play a mediating role;
5. Urges the warring factions to fully respect the principles of international humanitarian law and to cooperate in order to deliver humanitarian aid to the population;
6. Instructs its Co-Presidents to forward this resolution to the Council, the ACP-EU Council, the Commission, the UN, OAU, ECOWAS and CPLP Secretaries-General, the National People's Assembly of Guinea-Bissau and the Governments of Senegal and Guinea.

RESOLUTION ⁽¹⁾

on South Africa

The ACP-EU Joint Assembly,

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. noting that the South African authorities have made a significant offer on elimination of tariffs which introduces substantial concessions in favour of access for European products to the South African market,
- B. reiterating that it is possible for the EU substantially to meet South Africa's aspirations for improved access to the EU market, in areas of immediate benefit and concern to South African producers, without adversely affecting European Union interests,
- C. recalling the repeated commitment in the negotiation process, to the promotion of sustainable economic development for Southern Africa as a whole, made by both South Africa and the European Union to their other partners in the region,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- D. concerned that the existence of the Southern African Customs Union has not been fully taken into account during the negotiations to date,
- E. alarmed, in particular, at the absence of any concrete proposals to address the effects on customs revenue sharing arrangements, agricultural trade flows and infant industries (including motor vehicle, household electrical goods, pharmaceutical and meat processing industries) in the BLNS countries (Botswana, Lesotho, Namibia and Swaziland),
- F. recalling here the EU's commitment, within the context of its mandate for the Lome re-negotiations, to the continuation of non-reciprocal trade preferences for LDCs and in particular the need for 'additional adjustment assistance',
- G. noting therefore, with particular concern the absence of any concrete proposals to mitigate the negative consequences of the proposed FTA on the seven Least-Developed Countries of SADC,
- H. fully recognising the relevance and importance of Article 12 of the Lome IV Convention, which commits the EU to hold prompt consultations with affected ACP states — where the EU intends to take a measure which might affect the interests of these countries — before any final decision is made,
1. Regrets that the 21st Round of negotiations on Trade, Co-operation and Development Agreement with South Africa ended in stalemate and has been suspended;
 2. Calls on the EU Member States meeting in Council to grant the Commission the negotiating space to finally conclude a mutually beneficial EU-South Africa free-trade area agreement; recalls a number of concerns relating to the conclusion of a mutually beneficial agreement, in particular;
 3. Calls on the EU Member States to undertake a serious review of the agricultural exclusion list in order to improve the EU's commitment to cover 95 % of all trade in the FTA Agreement; at the same time as the exclusion list (list 5) is reviewed, progress needs to be made to list 4b (processed agricultural products which contain an element of protection linked to the CAP and certain other agricultural products); these products need to be brought back into the negotiations and should include such products as seasonal products, canned fruit (including peaches and tomatoes) and full-strength fruit juices;
 4. Closely linked to the above, calls on the EU Member States to reassert the principle of asymmetry, not just in product coverage but also in timing; there needs to be much greater movement of products currently excluded or featuring at the end of the process or not yet determined up to the initial period of the agreement (frontloading) if the agreement is to be truly of benefit to South Africa's development;
 5. Calls on the EU Member States to review as a matter of urgency the definitions of *ad hoc* in relation to cumulation; recalls that it was agreed in April 1997 that this issue would be given prompt attention but it remains pending; stresses in this regard the need for a broader interpretation of *ad hoc* than a product-by-product, case-by-case, sector-by-sector approach; stresses that such a narrow interpretation of *ad hoc* effectively defeats the purpose of cumulation since its inherent uncertainty precludes any forward planning and is therefore a disincentive to investment;
 6. Expresses concern with regard to the related issues to wine and spirits and fisheries; calls on the EU to decouple discussions on a Fisheries Agreement and a Wines and Spirits Agreement from the main trade negotiations; with regard to wine and spirits and the principle issue of appellations with regard to port and sherry, underlines that these products are not exported to the EU but are primarily produced for the domestic market; that the terms 'port' and 'sherry' have been used in South Africa for some 200 years and have been the object of considerable domestic investment and the right to use these terms should be respected;

7. With regard to fisheries, emphasises the need for a development perspective in any future agreement in line with the South African government's White Paper 'A Marine Fisheries Policy for South Africa' of May 1997 and which emphasises, *inter alia*, conservation, proper control and management of marine resources, protection of the environment; Supports in this regard the White Paper's perspective that 'The fisheries policy is founded on the belief that all natural marine living resources of South Africa; as well as the environment in which they exist and in which mariculture activities may occur; are a national asset and the heritage of all its people and should be managed and developed for the benefit of present and future generations in the country as a whole';
8. Renews its call to the negotiating partners that the implications for the BLNS and other SADC countries be fully addressed under the envisaged agreement;
9. Calls on the Council and Commission to formulate concrete proposals to address BLNS concerns, in particular with regard to the fiscal implications (in line with Commissioner Pinheiro's announcements in the European Parliament), infant industry protection and agricultural trade flows;
10. Calls on the EU to initiate a process of consultations with the BLNS and the non-SACU countries on the regional implication of the EU-South Africa free trade area agreement in line with their obligations under article 12 of the Fourth Lome Convention, so that their concerns may be taken in to account before a final decision is taken;
11. Calls on both the negotiating partners (the EU and South Africa) to sign a joint 'statement of intent' to address BLNS concerns over the implications of the bilateral EU-SA FTA, for annexation to the final agreement;
12. Believes such a 'statement of intent' should seek concretely to address BLNS concerns with regard to: the fiscal implications of the bilateral agreement; the possible distortions of existing trade flows; the protection of infant industries and investment diversion;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

RESOLUTION⁽¹⁾

on Angola

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
- having regard to the EU's declarations,
- having regard to UN Security Council Resolutions 1127, 1135, 1149, 1157 and 1195,
- having regard to the Declaration of 14 September 1998 by the SADC Heads of State and Government,
- having regard to the EU sanctions against UNITA,

- A. having regard to its previous resolutions on the war and the peace process in Angola, particularly that of 23 April 1998,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- B. reaffirming that the international community and the EU must continue to support fully the peace process in Angola which began in 1994 with the Lusaka accords,
- C. regretting that recent developments in the political situation in Angola are a serious threat to the peace process and to the implementation of the Lusaka protocol,
- D. deploring the fact that, despite reiterated calls from the international community, particularly the one issued by the Security Council on 25 August 1998 for UNITA to stop impeding the peace process, UNITA has not respected its commitments under the Lusaka protocol and the Angolan Constitution,
- E. whereas, in particular, UNITA is violating the peace agreement, particularly by retaining the nucleus of its army and by refusing to allow the establishment of the central state administration to be completed,
- F. regretting the fact that UNITA has decided to break off all contact with Portugal, the United States and Russia, the three countries observing the peace process,
- G. regretting that this development, which constitutes a grave setback to the peace process, has led the Angolan Government to dismiss four of its ministers and seven deputy ministers belonging to UNITA and has led Parliament to suspend its 70 UNITA Members until such time as UNITA clarifies its commitment to the peace process,
- H. whereas the situation has already led to internal divisions within UNITA,
- I. regretting the fact that fighting has resumed in the province of Lunda Norte, control over which is of strategic importance for diamond production,
 - 1. Supports the UN Security Council resolutions and the declaration by the SADC Heads of State or Government, which, as in previous cases, blame and condemn Jonas Savimbi and UNITA for obstructing implementation of the Lusaka agreement; requests that the international community seek to isolate Savimbi and UNITA politically, militarily, and economically;
 - 2. Reiterates its desire for the Lusaka peace accords and protocol to be implemented fully, in a spirit of national reconciliation;
 - 3. Urges Jonas Savimbi and UNITA, observing the spirit of the UN Security Council resolutions, to cease all hostilities and, without delay, to comply with the commitments given in the Lusaka protocol;
 - 4. Calls on UNITA to comply strictly with the obligations to which it subscribed under the terms of the Lusaka protocol, in particular by implementing the nine-point plan adopted on 9 January 1998 for the implementation of the Lusaka protocol, which more particularly concerns:
 - the disarmament and rapid demobilisation of the remainder of its troops, which must be confirmed by a declaration issued by UNITA,
 - the completion of the establishment of the central state administration;
 - 5. Condemns the decision to suspend the members of the GNUR and the 70 Members of Parliament representing UNITA in what is tantamount to a grave breach of the Lusaka agreements and of United Nations Security Council resolutions and to contempt for the most basic democratic principles;
 - 6. Urges the Angolan Government to reincorporate the UNITA representatives into the Government of National Unity and into Parliament, in order to help restore mutual confidence between the parties, contribute to the resumption of the peace process and ensure that the Lusaka protocol is fully implemented;

7. Calls on the international community, particularly the EU, to increase pressure in order to ensure that all the obligations entered into under the Lusaka protocol are complied with and to do everything in its power to prevent the collapse of the peace process and a resumption of hostilities and, to this end, calls for unconditional support for the action of the new special UN representative, Mr Issa Diallo;
8. Calls on the United Nations Security Council to maintain a strong presence in the country until the peace process is complete;
9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN Security Council, the Government of Angola and UNITA.

RESOLUTION⁽¹⁾

on continuing support for the peace agreement in Bougainville

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
 - having regard to its resolution of 23 April 1998 on the situation in Bougainville,
 - having regard to the ongoing peace process in Bougainville,
 - having regard to the report on the mission to Papua New Guinea, including Bougainville and the Solomon Islands,
 - having regard to the Burnham Truce of July 1997, the Lincoln Agreement of January 1998, the Arawa Implementation of the Cease-fire Agreement of April 1998, the total rescinding of the call-out order by the Government of Papua New Guinea in August 1998 and expected instalment of a UN Observer Mission in Bougainville,
- A. complimenting the different parties involved in the peace process for their efforts and New Zealand for its intervening role,
- B. whereas significant funds for the reconstruction and development have now been pledged following the signing of the cease-fire on 30 April,
- C. whereas emergency aid should now have begun to reach the people of Bougainville,
1. Welcomes the recent achievements in the ongoing peace process (the Arawa Implementation, the rescinding of the call-out order, the expected establishment of a permanent UN observer mission) and congratulates all parties for their strict adherence to the terms of Truce;
 2. Is in anticipation of the establishment of the Bougainville Reconciliation Government at the end of 1998 and will continue to support the parties in the peace process; expresses its wish that further negotiations will continue with similar promising results as in the past;
 3. Deeply regrets that, to date, Mr Francis Ona, President of the BIG, is still not taking part in the peace process; calls on Mr Ona to engage positively in the peace process in the near future;

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

4. Welcomes the start of reconstruction activities, although emphasising the importance for further assistance in the areas of the economy, infrastructure, education, health, and material and political support for the future Bougainville Reconciliation Government to ensure social stability and therefore to support the ongoing peace process;
5. Notes with satisfaction that Bougainville has received financial support from STABEX funds, the European Development Fund and ECHO, and welcomes the rapid provisional agreement between the European Commission and the Government of Papua New Guinea on the allocation of new Stabex funds for the rehabilitation of the agricultural sector in Bougainville, calls on the Commission to formalise this agreement and transfer the funds as soon as possible;
6. Calls on the Commission to evaluate the effects of the assistance provided to date and to provide details of any further assistance necessary to ensure the solidity of the cease-fire and the well-being of the people on this war-torn island;
7. Re-emphasises the importance of complete transparency in the allocation and utilisation of funds, in order for everybody, and in particular the Bougainvilleans, to be reassured that all aid goes where it is intended; therefore asks the Commission to take measures to address this concern;
8. Emphasises the importance of the rapid reconstruction of the educational system and asks that special attention be given to the needs of the youth who, because of the war, have been deprived of basic education;
9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission, the Governments of New Zealand, Australia and Japan, the South Pacific Forum and the United Nations.

RESOLUTION⁽¹⁾

on the debt burden of the ACP countries

The ACP-EU Joint Assembly,

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. whereas the debt burden of many ACP countries constitutes a serious obstacle to social and economic development and whereas the service of this debt absorbs resources that should rather be allocated to human development to the benefit of future generations,
- B. whereas debt constitutes a heavy burden on all the ACP States, whereas it represents a serious obstacle to social and economic development and whereas it hampers investment intended to preserve biological diversity (biodiversity) and protect the environment,
- C. whereas 35 of the 41 countries listed by the IMF and the World Bank as heavily indebted poor countries are ACP countries,
- D. noting, furthermore, that many loans made to the ACP countries in recent years have been granted in order to ensure the financing of existing debt or to enable interest payments to be made on existing loans, and not in order to implement new investments, leading to a paradoxical situation in which poverty is being exacerbated, and noting that it is essential to break this vicious circle,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- E. having regard to the priority objectives for the new relations between the European Union and the ACP countries, in particular the fight against poverty and the gradual integration of those countries into the world economy,
- F. convinced that one of the necessary measures to achieve these objectives is to write off a part of the debt and that the European Union, as the most important donor of development aid in the world, must be involved in such a measure,
- G. whereas the Council recently adopted the proposal concerning EU participation in the initiative launched in 1996 by the IMF and the World Bank for the reduction, to a sustainable level, of the debt of highly indebted poor countries (HIPC initiative),
- H. whereas this initiative will probably be limited to about 20 countries, among 41 potential candidates, and whereas the very restrictive criteria of the scheme, as well as its objectives, represent in reality an inadequate answer of the international community compared to the gravity of the problem,
1. Reaffirms its request for the cancellation of the debt of the least-developed ACP countries and for the rescheduling of the debt of all other ACP countries and recommends that at least 50 % of the total debt (both bilateral and multilateral) of the other ACP countries be allocated to the financing of projects which can help preserve biological diversity and protect the environment in those ACP countries;
 2. Calls on the Council to implement a global strategy in the various international organisations in order to obtain a substantial reduction, if not an outright cancellation, of the debt burden which afflicts the poorest populations of the world;
 3. Welcomes very warmly the European Union's decision to take up the international initiative in favour of the most heavily indebted countries, but considers that it must agree to additional steps to ease debt, which can take the form of outright cancellation of the loans that it has issued to the least developed ACP countries;
 4. Considers that the HIPC initiative represents an initial global and concerted approach by creditors towards the debt crisis of the poorest countries; also considers that this initiative has considerable weaknesses, in particular as a result of the rigid eligibility criteria;
 5. Regrets that implementation of structural adjustment programmes by the poorest countries should be an absolute condition in order to take advantage of the HIPC initiative; calls, therefore, for human development and social indicators to be included among the criteria for eligibility under the HIPC initiative;
 6. Considers that the structural adjustment strategies in their present form do not enable the structural weaknesses of the heavily indebted poor countries to be remedied and that they should not be used as a condition of benefitting from the debt alleviation programme;
 7. Calls for flexible implementation of the HIPC initiative so that it benefits the largest number of countries in the light of their specific situations, provided that sound economic and financial policies are implemented;
 8. Invites the Member States, too, to cancel their bilateral loans to the least developed ACP countries which are among the most heavily indebted countries;
 9. Considers, in particular, that steps must be taken to ensure that the resources released by debt cancellation or reduction are used to finance investment in social sectors and to fund human development projects geared to the vital needs of the population;
 10. Calls on the European Union and its Member States to take a package of appropriate measures to increase the developing countries' export revenues, in particular:
 - a) by enhancing the value of commodities locally;
 - b) through fairer payment for commodities and the conclusion of new agreements on raw materials;
 - c) by taking greater account of their interests in international trade, particularly in the context of the WTO and the new GSP;

11. Calls on the negotiators of the new partnership agreement between the EU and the ACP countries to find a viable solution to the debt crisis;
12. Reiterates its call for the industrialised countries to set aside 0,70 % of their GNP for development aid to the developing countries;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the international financial institutions.

RESOLUTION ⁽¹⁾

on debt

The ACP-EU Joint Assembly,

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. whereas the burden of debt is jeopardising the economic and social development of the ACP States, by placing those countries in a financial strait-jacket in which the usual victim is expenditure on national social programmes,
- B. concerned by the fact that debt payments by the ACP States absorbs a significant percentage of their export earnings,
- C. whereas the external debt of the 52 most heavily indebted countries has risen from \$84 billion to \$235 billion in the space of 15 years,
- D. whereas a substantial proportion of publicly-funded development aid is used by the developing countries in repayments to international financial institutions,
- E. noting, furthermore, that many loans made to the ACP countries in recent years have been granted in order to ensure the financing of existing debt or to enable interest payments to be made on existing loans, and not in order to implement new investments, leading to a paradoxical situation in which poverty is being exacerbated, and noting that it is essential to break this vicious circle,
- F. whereas in recent years a consensus has emerged which recognises that excessive indebtedness may be a major obstacle to growth, and that solidarity with developing countries makes it necessary to reduce or even cancel their debt, thereby giving them the means to concentrate on combating poverty,
- G. agreeing that it is necessary to ensure that the ACP States do not return to a situation of over-indebtedness and that they must therefore demonstrate their will to manage their economies more rigorously,
- H. believing that the question of the ACP countries' debt will have to be dealt with in connection with the negotiations on a new cooperation agreement between the European Union and the ACP countries, and that this future partnership agreement will have to explore new avenues to resolve this problem,
- I. welcoming with satisfaction the joint international initiative by the World Bank and the International Monetary Fund ('initiative on the debt of the most heavily indebted poor countries'), who are launching a multilateral plan to reduce the indebtedness of around 20 countries — including some ACP countries — which should enable \$7 billion in loans to be written off, and welcoming the fact that lenders have finally realised the need to coordinate their actions,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- J. welcoming the decision by the Council to ensure that the European Union is fully involved in this initiative, by granting financial assistance in the form of loans to the 11 ACP States which are eligible for it, and which will thus see the volume of their external debt vis-à-vis the EU reduced and will be able to meet their obligations (debt repayment and debt servicing),
1. Welcomes very warmly the European Union's decision to take up the international initiative in favour of the most heavily indebted countries, but considers that it must agree to additional steps to ease debt, which can take the form of outright cancellation of the loans that it has issued to the least developed ACP countries;
 2. Considers that measures to ease or cancel the ACP countries' debt must be accompanied by terms to ensure, as far as possible, that those States do not return to a comparable situation of over-indebtedness;
 3. Considers, in particular, that steps must be taken to ensure that the resources released by debt cancellation or reduction are used to finance investment in social sectors;
 4. Suggests that the ACP States may renegotiate their interest rates at current market rates;
 5. Invites those negotiating the new partnership agreement between the EU and the ACP countries to show imagination with regard to the method of financing the measures to ease and cancel the ACP countries' debt;
 6. Instructs its Co-Presidents to forward this resolution to the Council, the Commission and the international financial institutions.

RESOLUTION ⁽¹⁾

on education and training in the ACP countries

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
- having regard to the resolutions previously adopted by the Joint Assembly on the subjects of education, training, child labour and women's rights,
- having regard to the report on the Commission Communication on the guidelines for the negotiation of new cooperation agreements with the African, Caribbean and Pacific (ACP) countries (A4-0085/98 — Rocard report),
- having regard to its general report on the importance of the UN World Conferences of 1990 to 1996 for cooperation between the European Union and the ACP States in the context of the Lomé Convention, which was adopted at the meeting of 27 to 31 October 1997,
- having regard to the world conference entitled 'Training for All' which took place in March 1990 in Jomtien (Thailand) and recalling the Ouagadougou Declaration and the action platform of the UNESCO Pan-African Conference on the training of young girls (Burkina Faso, 1993),

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- A. convinced that the right to education is a fundamental right, to be granted equally to all human beings,
 - B. whereas education and training are vital aspects of development and, for that reason, should be one of the priority objectives of the EU's development cooperation policy,
 - C. whereas priority must be given to basic education for children and adults and having regard to the importance of such education in terms of social cohesion and the integration of the individual into society,
 - D. concerned at the fact that education budgets in particular are among the victims of economic and financial difficulties which are frequently caused by indebtedness which is no longer sustainable,
 - E. deploring the fact that, worldwide, 110 million children do not attend school and that the majority of them are used to provide labour,
 - F. whereas child labour is a major obstacle to their education and whereas, therefore, financial incentives must be devised to prevent child labour as far as possible,
 - G. whereas the education and training of women have been neglected in some developing countries, despite their proven positive effect on the dissemination of knowledge, on family incomes and, more generally, on the socio-economic situation of the countries concerned,
 - H. whereas, therefore, better education of women would confer considerable benefits on society at large,
 - I. whereas education raises the prospects of sharing in the collective life of society, improves individual quality of life, increases labour productivity and opens the way to paid work and higher wages,
 - J. whereas the education and training given to the populations of developing countries should include practical instruction on health and the local economy,
 - K. having regard to the particular situation of refugees and displaced persons, who are cruelly deprived of the opportunity to receive education and/or training,
 - L. having regard to the need to secure the active involvement of teachers, parents and local authorities and organisations in setting up an optimum education system,
1. Maintains that, in the first place, nation-wide access to basic education must be guaranteed in order to improve the educational standard of the broad mass of each country's population and considers that everything possible must be done to ensure that children have access to appropriate basic education and several years of schooling;
 2. Maintains that compulsory schooling for all boys and girls must be introduced without exception;
 3. Stresses that basic education and primary teaching must be based on the principle of equality of access, in particular in the case of young girls and children from disadvantaged sections of the population;
 4. Considers, moreover, that efforts to make adults of both sexes fully literate and to provide them with training should be redoubled, failing which sustainable development will be impossible;
 5. Considers that educational methods and objectives must take into account the cultural, economic and social realities of the ACP countries and that it must therefore be for each country to determine them, while ensuring that local authorities are closely associated with all decisions taken in this connection;

6. Maintains that both the teaching of manual skills and the imparting of knowledge in the pure sense are of major importance and that at least some vocational training must be provided on completion of schooling;
 7. Points out that child labour cannot be eradicated unless families receive alternative income to replace children's wages and considers that strategies to prevent child labour should be drawn up and that financial incentive measures, such as school allowances, should be adopted, in order to dissuade parents from making their children work and to enable them to send them to school;
 8. Considers that the situation of children in disaster areas and in refugee camps or those for displaced persons must be taken into account; in the latter cases they must, as far as possible, receive education in their language of origin in order to facilitate their return home;
 9. Considers that it is important for children to be educated in their mother tongue from a very early age;
 10. Suggests that, in view of the difficulty of marshalling sufficient resources, educational and vocational training requirements are planned in a realistic manner, taking account of the economic needs of the country;
 11. Considers that the resources allocated by the EU to the ACP countries must be redeployed by being channelled into social programmes, particularly education; suggests that a percentage of EDF appropriations should be earmarked specifically for education and training, and considers that these issues must be broached during the negotiations on a new cooperation agreement between the ACP countries and the European Union;
 12. Stresses that the education and training system needs to be improved by providing teachers with training, including in-service training, and paying them fairly in accordance with their qualifications;
 13. Encourages the ACP countries to cooperate on a regional basis in the education field, by organising twinning and exchanges between educational establishments and universities;
 14. Considers that priority should be given to vocational training directly linked to employment;
 15. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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RESOLUTION⁽¹⁾

on health and Aids

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
 - having regard to its previous resolutions on health and HIV/Aids,
 - having regard to the general report by Mrs Junker on the importance of the UN World Conferences of 1990 to 1996 for cooperation between the European Union and the ACP States in the context of the Lomé Convention, adopted at the session in Lomé from 27 to 31 October 1997,
 - having regard to the outcome of the UN-sponsored International Conference on Population and Development, held in Cairo in 1994, and in particular to the action programme, which lays down a new basis for international cooperation,
 - having regard to the latest UNAIDS-WHO report (published in December 1997),
 - having regard to its previous resolutions on women, the UN World Conference on Women, held in Beijing in 1995, Aids/HIV, the UN International Conference on Population and Development in Cairo in 1994, and the World Social Summit in Copenhagen in 1995,
- A. deeply alarmed at the constant spread of Aids in the developing countries and the fact that over 80 % of people infected with the HIV virus will be living in developing countries in the year 2000; and likewise expressing its disquiet at the WHO projections,
- B. whereas Aids is severely impeding development on account of its social and economic repercussions,
- C. whereas Aids erodes, destroys and impoverishes human communities,
- D. whereas the advance of Aids has been largely lost to sight in the countries affected, especially in Africa, because of the economic crisis and political and social problems; whereas, in addition, the spread of Aids is imposing an intolerable burden on health budgets, already hard hit by structural adjustment, debt, and the economic crisis,
- E. whereas treatment schemes and health systems in the ACP States, where other endemic diseases such as malaria and tuberculosis are already rampant, are wanting in several respects and as a rule hampered by a shortage of medical and paramedical personnel and serious difficulties in the organisation of patient care,
- F. alarmed at the fact that poverty, malnutrition, the absence of elementary conditions of cleanliness and precarious livelihoods have been joined by the disastrous effects of armed conflicts and large-scale population displacements, and whereas all these factors combined make people even more vulnerable to epidemics and opportunistic infections,
- G. having regard to the disastrous consequences of the Aids epidemic for individuals, families, and above all women, who pay a particularly high price because they are in danger of contaminating their children when pregnant,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- H. having regard to the higher than average maternal and infant mortality in many ACP States,
- I. whereas prevention and treatment of sexually transmitted diseases, including HIV/Aids, is or should be part and parcel of reproductive health care,
- J. concerned about the inadequate health care provided to pregnant women and babies and the serious problems related to reproductive health,
- K. having regard to the definition of basic social services laid down in Oslo in 1995, which covers basic education, basic health services, including reproductive health and birth and family planning, food security, drinking-water supplies, sewage disposal, and official provision for the foregoing,
- L. aware that low literacy rates in developing countries pose an obstacle to an effective information, education, and publicity campaign,
- M. whereas research facilities in the ACP States are inadequate or indeed non-existent,
- N. particularly concerned at the fact that the pharmaceutical industry is gradually withdrawing from research into transmissible tropical diseases, which nonetheless account for most of the burden of morbidity in the countries in the inter-tropical zone,
- O. whereas treatment for common diseases which are endemic in most of the inter-tropical zone is generally inaccessible for more than three out of four victims, owing to their lack of purchasing power,
- P. concerned to note that pharmaceutical counterfeiting is rapidly increasing and that trafficking in counterfeit drugs poses a threat to the health and even the life of the populations of developing countries,
- Q. Welcoming the EU's stated commitment to support the developing countries' efforts to strengthen their health systems, focusing on sustainable effective systems, in particular for the poorest,
- R. whereas, if all the diseases which affect the developing countries and, in particular, Aids are to be eradicated, the ACP States and the European Union must enter into a joint commitment and adopt a strategy spanning many sectors, including medical research, training, prevention, and care of persons living with HIV/Aids,
1. Calls on the Union to grant increased technical and financial assistance to the ACP States under the EDF and development cooperation operations to enable them to redouble their efforts in the field of health and more especially to combat the HIV virus, aimed for instance at:
- supporting reform of health systems,
 - improving and developing health service facilities,
 - continuing and stepping up information and education campaigns on Aids,
 - encouraging the use of condoms and making them more readily available by lowering costs and improving distribution channels,
 - providing better initial and in-service training for medical and paramedical personnel,
 - strengthening blood transfusion services, not least by means of systematic screening for the HIV virus and sexually transmitted diseases, and improving the conditions under which blood is stored,
 - devising a specific prevention and sex education policy aimed at children and teenagers,

- promoting literacy, especially among women,
 - supplying populations with drinking-water,
 - organising the storage and destruction of waste, including waste from medical and biological activities,
 - conducting epidemiological surveys, developing monitoring systems, and making use of qualitative and quantitative indicators;
2. Calls on the Union and the ACP States to intensify their cooperation as regards staff training, exchanges of health personnel, especially in the hospital sector, and partnerships between hospitals and universities in the Union and ACP countries;
 3. Calls for the adoption of specific policies on treating concomitant diseases which afflict Aids sufferers (tuberculosis, children's diseases, transmission from mother to child, diarrhoea and other associated processes), which will make it possible to prolong the lives of Aids sufferers and improve their quality of life;
 4. Believes that the Union and the ACP States need, as a matter of urgency, to establish a system of solidarity to enable the latter countries not only to take part in medical research, but also to derive greater benefit from the advances that medical research brings about;
 5. Believes that an International Therapeutic Solidarity Fund should be set up to reduce inequalities as regards access to medicines;
 6. Calls on the Commission to cooperate with the WHO, NGOs and the health ministers of the ACP countries in implementing programmes to inform and increase the awareness of people about the dangers of taking counterfeit drugs;
 7. Considers it necessary to step up cooperation involving NGOs, local organisations, and the various national programmes to combat Aids;
 8. Calls for Aids prevention to be covered under sex education and sexual hygiene programmes, family planning programmes, and programmes for the prevention and treatment of sexually transmitted diseases and tuberculosis;
 9. Maintains that medical development projects cannot achieve their goals unless they extend over the long term, enabling expenditure to be implemented and equipment supplied on a continuous basis, and medical information can be made to fit into the local cultural context;
 10. Invites the European Union to step up its cooperation with the ACP countries in the health field, either through the European Union budget or through the new agreement which is intended to replace the Lomé Convention;
 11. Calls on the Commission to help set up a database of policies and methodologies for combating Aids to serve as a permanent point of reference for the development of the epidemic and its treatment;
 12. Believes that it is necessary to stress the reduction of the Aids-causing co-factors such as extreme poverty, malnutrition, undernourishment and unhygienic conditions;
 13. Calls on the EU to contribute further in this area at the preliminary stage by financing a feasibility assessment of an essential package for pregnant women in ACP countries, which would include different options for HIV testing and counselling, breast-feeding or bottlefeeding, and other priority actions;
 14. Calls for special attention to be devoted to the situation of orphans and to preventing transmission of HIV from mother to child;

15. Stresses, however, that special care should be taken not to discriminate between allocations for care to people with and without HIV/Aids, and that special efforts should be made to focus available public funds on basic care for the poorest;
 16. Calls on the EU Commission to continue its efforts in encouraging the development of microbicide, which would enable women in ACP countries to protect themselves more effectively from infection with HIV/Aids;
 17. Voices its concern because world-wide research into HIV vaccines (both public and private) represents less than 7 % of annual global research and development expenditure on HIV/Aids and expresses alarm at the fact that, out of this total of \$160 m spent on vaccine research, only \$5 m per year is spent on vaccines for potential use in developing countries;
 18. Strongly urges the EU and ACP governments to support efforts by the International Aids Vaccine Initiative aimed at encouraging the private sector to invest in the development of vaccines suitable for use in ACP countries;
 19. Calls on the EU Member States and the ACP States to implement the decisions taken at Cairo in anticipation of the forthcoming fifth anniversary of the Conference in 1999 and ensure that reproductive health care becomes universally available by the year 2015;
 20. Calls on the EU Member States to use their influence with a view to providing family planning services, proper locally based welfare services for pregnant women, and the necessary gynaecological care, since these enable women to avoid both unwanted and unplanned pregnancies and abortions performed inexpertly under unhygienic conditions and to protect themselves from sexually transmitted diseases such as HIV/Aids;
 21. Calls on the EU Member States and the ACP States to ensure that comprehensive reproductive health services, advisory services, and basic health services are available for use, in particular by vulnerable groups denied proper care, for example children and young people, female refugees, and internal exiles, who are in danger of falling victim to ignorance or physical or sexual violence;
 22. Calls on the EU and ACP States to recognise the right of sexual self-determination and reproductive rights as human rights and consequently encompass them within the political dialogue;
 23. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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RESOLUTION ⁽¹⁾

on biodiversity and the environment

The ACP-EU Joint Assembly,

— meeting in Brussels from 21 to 24 September 1998,

- A. noting the urgent need to protect the biodiversity of the planet,
- B. having regard to the vast genetic resources of the developing countries, which contain 86 % of the higher plant species,
- C. whereas six years after the Rio Conference a considerable number of species are still disappearing each day, forests are shrinking and old-growth forests are degrading, fish stocks are dwindling, drinking water is polluted and the global temperature is rising,
- D. recognising that biological diversity is the mainstay and source of livelihood for the majority of the population in Africa, and that Africa is particularly rich in biological resources in the form of diverse crops and medicinal plants and immense wildlife resources,
- E. recognising that biological resources have been maintained and nurtured by generations of Africa's local and indigenous communities, in particular rural communities such as farmers, hunter-gatherers and local healers whose very existence has almost exclusively been dependent on such resources,
- F. noting that the bulk of biological diversity and the knowledge and technologies of how to use it is found in the local and indigenous communities of the South. The poor and hitherto marginalised people of the world have therefore, in recent decades, come to figure as the most important players in many biological resource-based sectors world wide and, in particular, in developing countries,
- G. stressing that the developing countries have thus far taken the view that their genetic wealth is a natural resource for the benefit of humankind,
- H. whereas the Convention on Biological Diversity (CBD), which was signed by 150 States in 1992, which came into force in 1993 and which is currently adhered to by 170 nations, is responding to the increasing recognition of the great contribution of local and indigenous communities to the conservation, maintenance and sustainable use of the world's biological resources,
- I. recalling that the CBD requires signatories to protect and promote the rights of communities, farmers and indigenous peoples with respect to their biological resources and knowledge systems, as well as the equitable sharing of benefits arising from the commercial use of communities' biological resources and local knowledge, and asserts that intellectual property rights must not conflict with the conservation and sustainable use of biodiversity,
- J. whereas the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs), which came into force on 1 January 1995 as a result of the last round of GATT negotiations and which also gave rise to the establishment of the World Trade Organisation (WTO), sets up the first global system of intellectual property rights on biological diversity, and specifically plant varieties,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- K. noting that TRIPs obliges member countries to adopt either patents or an effective *sui generis* (unique) IPR system for plant varieties at national level [Article 27(3)(b)] which must be implemented by developing countries by the year 2000 and in least-developed countries by the year 2005 respectively,
- L. noting that TRIPs was expressly designed to ensure that intellectual property rights could be universally applied to all technologies, especially those which had previously been declared unsuitable for monopoly rights at national level (including pharmaceutical products and biological materials such as plants and micro-organisms), all of which must now be subject to private property rights by IPRs,
- M. concerned that, as a result of TRIPs obligations, the majority of developing countries will need to provide some form of intellectual monopoly rights on food and medicinal biodiversity for the first time, that farmers' access to diversity, their choice of planting material and options for management systems will be significantly impaired, and their rights to save and exchange seed will be legally restricted, if not prohibited, because of protections granted only to the interests of monopoly holders,
- N. further concerned that corporations will be able to secure legal ownership of the world's biodiversity which contains genetic information obtained from the South's farmers' own field, which they then sell back to them for enormous profits, that biodiversity and associated community knowledge systems intended to be protected by the CBD and which form the basis of the adaptability of agriculture will be lost and that food security and agricultural innovation will severely decline,
- O. whereas Article 27(3)(b) of the TRIPs agreement will be reviewed in 1999, and whereas this means that the obligation to provide patent or *sui generis* rights on plant varieties can be removed before member countries are obliged to implement it, thus providing the opportunity to remove this obligation from the WTO framework,
- P. believing that, in order to ensure that the world's biodiversity is protected, conserved and sustainably utilised for the survival and well-being of the vast majority of the human population of nation states, the local communities and indigenous peoples constantly keep adapting, generating and regenerating these biological resources, knowledge and technologies for present and future generations,
1. Stresses the vital importance of the planet's genetic resources for all humankind, and calls for the preservation of biological diversity, the sustainable use of its components and the just and equitable sharing of the advantages deriving from the exploitation of genetic resources;
 2. Emphasises the principle enshrined in the CBD concerning the sovereign rights of all countries to their own genetic resources and asks that this principle be respected in legislation and international agreements;
 3. Urges the full development of the CBD as an international instrument to ensure the sustainable use and conservation of biodiversity, based on community control of resources and the sovereign rights of States to determine access to such resources;
 4. Calls on the recognition and affirmation of the precedence of the CBD over any other international agreement on matters relating to biological diversity;
 5. Stresses how important it is to ensure appropriate technology transfer to the developing countries, since the deployment of properly adapted techniques is an essential condition for preserving and ensuring rational and sustainable exploitation of genetic diversity;

6. Demands that the indigenous peoples be included as participants in decision-making on in-situ conservation measures affecting them, in particular the establishment and management of protected areas; calls, in this context, for respect for the economic, social and cultural rights and land rights of indigenous peoples;
7. Calls for the WTO rules to be revised and for new ecological and social criteria to be adopted for regulating world trade;
8. Urgently calls for the 1999 review of Article 27(3)(b) of the TRIP Agreement to take into account the objectives and provisions of the CBD and to maintain the option of excluding all life forms and related knowledge from IPR protection;
9. Condemns the exportation to the countries of the southern hemisphere of a certain number of dangerous products such as pesticides, biocides and dangerous medicines which are banned for public health, environmental protection or safety reasons in the industrialised countries;
10. Notes that there is a need for a detailed and comparable inventory of species to enable the situation of threatened species to be assessed, evaluated and improved; calls on the ACP countries and the EU to make an inventory of and to conduct research into natural resources (species, ecosystems and habitats) and to set up databases and gene banks; asks the EU to assist the ACP countries in these activities with technical and financial means;
11. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the WTO and the secretariat of the CBD.

RESOLUTION ⁽¹⁾

on biodiversity and environment

The ACP-EU Joint Assembly,

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. recognising that biological diversity is the mainstay and source of livelihood for the majority of the population in Africa, and that Africa is particularly rich in biological resources in the form of diverse crops and medicinal plants and immense wildlife resources,
- B. recognising that biological resources have been maintained and nurtured by generations of Africa's local and indigenous communities, in particular rural communities such as farmers, hunter-gatherers and local healers whose very existence has almost exclusively been dependent on such resources,
- C. noting that the bulk of biological diversity and the knowledge and technologies of how to use it is found in the local and indigenous communities of the South. The poor and hitherto marginalised people of the world have in recent decades, therefore, come to figure as the most important players in many biological resource based sectors world wide, and in particular, developing countries,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- D. having regard to the Convention on Biological Diversity (CBD) signed by 150 States in 1992 and which came into force in 1993, currently adhered to by 170 nations, which is responding to the increasing recognition of the great contribution of local and indigenous communities to the conservation, maintenance and sustainable use of the world's biological resources,
 - E. recalling that the CBD requires signatories to protect and promote the rights of communities, farmers and indigenous peoples with respect to their biological resources and knowledge systems, as well as the equitable sharing of benefits arising from the commercial use of communities' biological resources and local knowledge, and asserts that intellectual property rights must not conflict with the conservation and sustainable use of biodiversity,
 - F. having regard to the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPs) which came into force on 1 January 1995 as a result of the last round of GATT negotiations, which also gave rise to the establishment of the World Trade Organisation (WTO), an agreement which set up the first global system of intellectual property rights on biological diversity, and specifically plant varieties,
 - G. noting that TRIPs obliges member countries to adopt either patents or an effective sui generis (unique) IPR system for plant varieties at a national level [Article 27,3(b)] which must be implemented by developing countries by the year 2000 and in least-developed countries by the year 2005 respectively,
 - H. noting that TRIPs was expressly designed to ensure that intellectual property rights could be universally applied to all technologies, especially those which had previously been declared unsuitable for monopoly rights at the national level, which include pharmaceutical products and biological materials such as plants and micro organisms, all of which must now be subject to private property rights by IPRs,
 - I. concerned that as a result of TRIPs obligations, the majority of developing countries will need to provide some form of intellectual monopoly rights on food and medicinal biodiversity for the first time, that farmers' access to diversity, their choice of planting material and options for management systems will be significantly impaired, and their rights to save and exchange seed will be legally restricted, if not prohibited, because of protection granted only to the interests of monopoly holders,
 - J. further concerned that corporations will be able to secure legal ownership of the world's biodiversity including genetic information obtained from the South's farmers' own field, which could then be sold back to them for enormous profits, that biodiversity and associated community knowledge systems which ought to be protected by the CBD and which form the basis of the adaptability of agriculture, will be lost and food security and agricultural innovation will severely decline,
 - K. whereas Article 27,3(b) of the TRIPs agreement will be reviewed in 1999, and this means the obligation to provide patent or sui generis rights on plant varieties can be removed before member countries are obliged to implement it, providing the opportunity to remove this obligation from the WTO framework,
 - L. believing that, in order to ensure the world's biodiversity is protected, conserved and sustainably utilised for the survival and well-being of the vast majority of the human population, the local communities and indigenous peoples must constantly keep adapting, generating and regenerating these biological resources, knowledge, and technologies for present and future generations,
1. Affirms the basic assumption that the conservation and sustainable use of biodiversity is based on the sovereign rights of States and the rights and empowerment of local communities which inspired the CBD from the outset;

2. Urges the full development of the CBD as an international instrument to ensure the sustainable use and conservation of biodiversity, based on community control of resources and the sovereign rights of States to determine access to such resources;
3. Calls for the recognition and affirmation of the precedence of the CBD over any other international agreement on matters related to biological diversity;
4. Urgently calls for the 1999 review of Article 27,3(b) of the TRIP Agreement to take into account the objectives and provisions of the CBD and to maintain the option of excluding all life forms and related knowledge from IPR protection;
5. Calls for the implementation of TRIP's Agreement, insofar as it concerns biological resources, to be supportive and not run counter to the objectives of the CBD;
6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the WTO and the secretariat of the CBD.

RESOLUTION⁽¹⁾

on mining developments and their environmental aspects

The ACP-EU Joint Assembly,

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. whereas development and the protection of the environment have consistently been twin goals of the successive Lomé Conventions, and remain an essential part of ACP-EU cooperation,
- B. whereas the sustainable management of natural resources and the effects of economic growth on the environment together constitute a concern shared by the contracting parties, and one which highlights their mutual dependence,
- C. whereas in most ACP countries, mining offers potential for development, not only in terms of industrial operations requiring substantial investment, but also in terms of small and medium-sized mining operations which generate a range of economic activity in these countries,
- D. whereas the principal objectives of Article 99 of the Fourth Lomé Convention were, and remain, the exploitation of all types of mineral resources in such a way as to ensure that mining operations are profitable both on the export market and at home, while heeding environmental concerns, and at the same time developing the human resource potential with a view to promoting and expediting diversified socio-economic development,
- E. whereas the Lomé Convention stresses the mutual dependence of the contracting parties in this sector, and whereas the said parties continue to be concerned by the effects of economic growth on the environment and the management of natural resources,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- F. whereas the special funding facility (Sysmin), inaugurated by Lomé II, continues to be an important part of the 8th EDF, which was devised in order to provide a more solid basis for the development of ACP States which meet the eligibility criteria,
- G. whereas, since the ACP countries' mining sector despite its potential in terms of natural resources, lags behind other regions of the world, the members of the ACP-EU Joint Assembly believe that the ACP governments and their European counterparts, the EU, European industry and the ACP countries themselves should take a long term view of their mutual interests as regards the human, institutional and material cooperation infrastructure which constitutes the potential framework for refreshing joint enterprises,
1. Notes that in order to achieve the desired balance, increased mining cooperation and a properly designed concerted approach are required to promote sustainable management of the natural resources of those ACP countries with major mining potential;
 2. Notes that interdependence, which underpins ACP-EU relations, calls for consistent action both to correct the disparity between the parties as regards institutional and technical conditions, and to boost the ACP mining sector with a view to attracting further investment and optimising the knock-on effects on local economies;
 3. Welcomes a considerable amount of work that has been done by various ACP countries to adapt their legislation and strengthen their institutional basis, which should be followed up with the support of funds under Lomé IV and the future ACP-EU agreement;
 4. Welcomes the on-going analysis and assessment taking place within the Joint ACP-European mining industry working party;
 5. Calls on the parties involved in ACP-EU mining cooperation to take measures to promote sustainable mining development in the ACP countries and to step up the transfer of skills, training, research, technology and knowhow which these countries urgently require in this sector if they are to develop their resources while preserving the quality of the environment;
 6. Calls on the Commission to pay particular heed to the need for a supple and efficient implementation of mining cooperation, and especially the Sysmin within the framework of the 8th EDF;
 7. Urges the ACP countries to make a major effort to adapt to the on-going economic development of the mining sector worldwide, and to ensure that their own mining sector is competitive by adopting measures to improve the climate for investment;
 8. Advocates effective institutional support for small and medium-sized mining operations, and for the involvement of local operators in the process of properly exploiting mining resources, including effective action in the area of environmental protection;
 9. Calls on the European Union to provide increased support for the ACP mining sector using all the means at its disposal, including the human resources required for managing cooperation in this sector; calls on the European Union to support all initiatives and strategies by encouraging all forms of initiatives and strategies (more particularly by improving the relevant infrastructure and by means of a closer synergy between the programming of infrastructure projects and the development of the mining sector) designed to improve the climate for investment and an increased capital flow into the ACP countries;
 10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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RESOLUTION⁽¹⁾

on biotechnology

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
 - having regard to the convention on Biological Diversity (CBD) and the ongoing negotiations on the Biosafety protocol by governments party to the CBD,
 - having regard to the EU Directive on the legal protection of biotechnological inventions (98/44/EC),
 - having regard to the GATT agreement on Trade-Related Aspects of Intellectual Property (TRIP),
- A. alarmed at the rapid increase in the unauthorised bio-prospecting and commercialisation of the biological resources, traditional knowledge, innovations and practices of local and indigenous communities,
- B. deeply concerned at the lack of binding protection of such knowledge, innovations, practices and biological resources against unauthorised commercialisation in the European Union directive on the legal protection of biotechnological inventions,
- C. bearing in mind the general principle of the Lomé Convention whereby ACP-EU cooperation shall support the efforts of the ACP States to achieve comprehensive self-reliant and selfsustained development based on their cultural and social values,
- D. considering it necessary to implement measures proposed in countries that are users of genetic resources, such as procedural and/or substantive changes in intellectual property law, which will require disclosure of the country of origin and/or proof of prior informed consent as referred to by the Executive Secretary of the Convention on Biological Diversity,
- E. considering that genes of living organisms are the basic 'raw materials' for biotechnology and that the majority of the world's genetic resources can be found in developing countries,
- F. whereas, in the field of biotechnology, developing countries are net exporters of resources and net importers of technology,
1. Confirms the importance of the principles incorporated in the CBD such as 'the precautionary principle', 'prior informed consent when accessing genetic resources', 'sovereign rights of states over their national genetic resources', 'access to and transfer of technology and information' and 'the equal distribution of benefits derived from biotechnology'; asks the European Union, its Member States and ACP countries to fully respect these principles in their legislation and to promote these principles in the proper international fora;
2. Notes that biotechnology can make a positive contribution in the field of sustainable agriculture and the progress of human health and medicine but is concerned at the negative impacts on the environment, biological diversity, traditional lifestyles, etc; therefore calls for ecological, ethical, social and economic considerations to be taken into account when dealing with biotechnology in all its aspects;
3. Proposes that the new Lomé Convention should include provisions relating to the principles of Article 8(j) of the CBD concerning the preservation of knowledge, innovation and the practices of indigenous and local communities and their intellectual and cultural property rights, including approval, involvement and the equitable sharing of benefits of any use of such resources;

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

4. Notes that, in general, Third World countries lack an adequate legal framework for regulating biotechnology; therefore urges the ACP States to implement a legal framework to regulate biotechnology, intellectual property rights and other related issues; furthermore, urges the ACP States and the EU to make an inventory of natural resources and to set up databases and gene banks; asks the European Union to support the ACP States by providing technical and financial means;
5. Acknowledges that local and indigenous communities, as a result of their traditional lifestyles, make a special contribution to genetic diversity and have traditional knowledge concerning the use of many species; therefore calls for special attention be given to the 'traditional resource rights' of indigenous and local communities;
6. Calls on the EU and its Member States as a matter of urgency to conclude negotiations on a binding Biosafety Protocol (which safeguards human and animal health, the environment, biological diversity and the socio-economic welfare of societies from the potential risks of biotechnology);
7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission, and the secretariat of the CBD.

RESOLUTION ⁽¹⁾

on post-conflict rehabilitation

The ACP-EU Joint Assembly,

— meeting in Brussels (Belgium) from 21 to 24 September 1998,

- A. noting with concern the grave post-conflict situation that predominates in many African countries and the vast amount of human and financial resources which are required for rehabilitation purposes,
- B. whereas neither development cooperation nor humanitarian aid can deploy effective instruments and methodologies for tackling the rehabilitation of a country in which the emergency is over but the institutional and socio-economic framework is still fragile,
- C. whereas rehabilitation is not an end in itself but is part of a continuum, which starts from emergency aid and ends in long-term development strategies, its primary objective being to enable the return and re-establishment of the populations in their communities of origin, the restarting of economic and trade activities as well as the stabilisation of political and social life,
- D. whereas local administration and management is essential to the success of any form of rehabilitation and whereas the rehabilitation programmes must focus on the needs of the local communities and must, where possible, make use of local resources to ensure the sustainable development of the countries concerned,
- E. stressing the importance of giving top priority to the speed and effectiveness of aid and of dealing primarily with the problems of food security and the re-establishment of basic social infrastructure,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

- F. having regard to the need to restore as quickly as possible the basic conditions for the operation of vital infrastructures, services, production facilities and institutional and administrative structures,
- G. whereas the reconstruction stage in a country that has endured a period of conflict must necessarily take into consideration the reconstruction of civil society and the rule of law so as to inspire confidence in its citizens and enable circuits of economic activity, health and education facilities, etc., to be restored,
- H. whereas rehabilitation operations must also enable the return of refugees, displaced persons, demobilised service personnel and the reintegration of the whole population into normal civilian life,
- I. drawing attention to the crucial importance assumed by mine clearance among operations to restore basic infrastructural facilities and ensure their operation,
- J. whereas the success of rehabilitation programmes is largely dependant on the concentration of resources on the main needs of the populations and on the direct involvement of NGOs and local communities in the planning as well as in the implementation of these programmes,
- K. whereas the European Union must deploy every possible effort, both in the context of political cooperation and a single development policy, to prevent crises and settle conflicts by political means, in conjunction with local conflict settlement structures,
1. Believes that rehabilitation programmes and mechanisms constitute an essential extension of emergency aid measures and form an indispensable precondition for medium- and long-term development operations;
 2. Stresses the magnitude of the developing countries' needs for rehabilitation aid and calls for the establishment of a specific financial framework in the Community budget, endowed with considerable resources, to meet those needs;
 3. Believes that it is essential that the rehabilitation programmes, over and above their contribution to re-establishing a sustainable economy and social stability, should also make it possible for refugees, displaced persons, and demobilised soldiers to return home, and for the entire population to be reintegrated into normal civilian life in their countries and regions of origin;
 4. Considers that primary responsibility for drawing up and implementing the rehabilitation programmes rests with the communities concerned, in conjunction with their national and local authorities;
 5. Considers that the corner-stone of post-war rehabilitation must be the strengthening of civil society, in which the features of associations and cooperatives must be supported, by promoting the popular urban economy (informal sector) and micro-credit, at least during a transition phase, and involving the local authorities in building up the institutions;
 6. Attaches priority, in the rehabilitation following the fighting in which inter-ethnic tensions were present, to developing programmes which encourage dialogue between the different communities and to developing joint economic, social and cultural activities;
 7. Underlines the crucial importance of establishing democratic institutions, with elected representative bodies and the division of the judicial, legislative and executive powers;
 8. Regards the role which free, open and pluralistic mass media must play in the rehabilitation process to be indispensable;
 9. Considers that an integral component of post-war rehabilitation is the establishment of international judicial machinery to punish those responsible for war crimes and crimes against humanity, as a fundamental factor for stability in restoring the civil life of the country;

10. Calls therefore for the creation of International Criminal Court and requests the ACP and EU Member States to continue the efforts begun at the Rome Conference to promote the establishment of the Court in international fora;
11. Considers that increased resources must be allocated to mine-clearing operations, since these account for a significant proportion of rehabilitation efforts;
12. Calls on the Council and the Commission to take into consideration, in implementing rehabilitation operations, the part that can be played by women in the process of reconstructing their country;
13. Hopes that interventions in the area of rehabilitation will advance the restoration of markets and local trading networks by giving priority to local supply options;
14. Instructs its Co-Presidents to forward this resolution to the Commission, ACP-EU Council, the United Nations and the OAU.

RESOLUTION⁽¹⁾

on the information society and the developing world

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from 21 to 24 September 1998,
 - having regard to its previous resolutions on information and the arts,
 - having regard to Articles 132 and 133 of the Fourth Lomé Convention on cooperation in the field of communications and informatics, contained in Part Two, Title IX, Chapter 4,
 - having regard to the Commission communication entitled 'Europe's way to the information society. An action plan'⁽²⁾ and the European Parliament resolution on the same subject⁽³⁾,
 - having regard to the Commission communication entitled 'The Information Society and Development: the Role of the Union'⁽⁴⁾,
- A. convinced of the need to integrate all countries into the information society and aware of the considerable challenges this process of integration constitutes, particularly in the case of the least advanced countries,
 - B. whereas the gaps in terms of infrastructure and technological development are growing increasingly wider between the industrialised countries and the developing countries,
 - C. having regard to the need for a coordinated strategy geared to the requirements of the developing world and enabling a larger number to take advantage of the economic, social and cultural potential of the information society,
 - D. concerned to prevent the gulf separating industrialised and developing countries from widening even further and the development of the information society from further marginalising the ACP countries instead of facilitating their integration into the world system,

⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).

⁽²⁾ COM(94) 347.

⁽³⁾ OJ C 363, 19.12.1994.

⁽⁴⁾ COM(97) 351.

- E. pointing out that the initial situation in many ACP countries, as regards existing communications infrastructures and the social and economic problems that communications and information technologies can help to solve, differs considerably from that existing in the industrialised countries, in particular the countries of the European Union,
 - F. whereas the concept of the information society is a still-evolving form of the earlier industrial society and therefore not fully applicable to most ACP States, which are consequently finding it more difficult to move forward and raise the educational and living standards of their people,
 - G. whereas the European Union's solidarity with its developing-country partners, in particular the ACP countries, requires it to assist them, on the basis of the agreements linking it to them, to gain recognition for the possibility of participating fully in a process that will enable them to advance by technological leaps and bounds and boost their social, cultural and economic development,
 - H. whereas information and communication technology could do much to foster direct democracy by affording wider opportunities for people to express themselves and could thus consolidate civil society and cultural identity; whereas, however, it also creates scope for abuses extending to the broad mass of the population, allowing public opinion to be manipulated and indoctrinated,
 - I. whereas the information society has the potential to transform working patterns, education systems, and society as such from top to bottom because it can remove space and time barriers and offer a whole range of new means to enable developing countries to take technological leaps forward, bypassing the intermediate stages that the industrialised nations have completed,
 - J. whereas, however, access to information and communication technologies is spread very unevenly, since 48 % of the inhabitants in the industrialised nations are connected, but the figure in the poorest developing countries is just 1,5 %, 53 % of the inhabitants in industrialised countries are connected to a telephone network, there is 1 Internet connection for every 5 people in the developed countries, and for every 40 people on average in the world as a whole, but the figure for Africa is as high as 1 051 and, in general, only the large towns and cities there are equipped with Internet connections,
1. Stresses the importance and urgency of working for the development of an information society as a universal provider in which developing countries would participate fully;
 2. Maintains that the many and varied opportunities for multi-media applications could greatly boost development in civil services, education and health systems, and transport and services, including where planning and monitoring are concerned, if the necessary resources can be obtained and a sufficient number of properly trained specialists recruited;
 3. Considers it essential therefore to set up a partnership between industrialised countries and developing countries — and in particular between the Union and the ACP countries — in order to identify the respective requirements of both, to mobilise the necessary technical and financial resources, to agree in a concerted manner on the legal framework within which the information and service networks should be implemented;
 4. Calls for the partnership between industrialised and ACP countries to give priority to a genuinely dynamic development of the Internet, which would then appear not only as a means of opening up ACP country networks to the rest of the world but also as a source of enrichment for exchanges both between North and South and between developing countries;
 5. Considers that in order to counteract the risk of marginalisation of the least advanced countries, an essential first step will be to rectify the inadequacy of telecommunications and human resource infrastructures and the low rate of literacy in those countries;
 6. Supports the Commission's view that a strategy must be devised to enable the information society to be covered when cooperation projects and programmes are assessed so that all cooperation tools can be made more coherent and efficient;

7. Considers that over and above the improvement of access to technologies, effort must be put into developing human resources in ACP countries by way of improved training, in particular in the areas of telecommunications and computerisation;
 8. Expects that in the informal sector, new training and employment opportunities will likewise be exploited to help persons, in particular women, who have hitherto had little access to media and information output;
 9. Considers that, beyond information and communication infrastructures there should above all be investment in the development of human resources by improving access to education and training;
 10. Considers that the European Union should in particular assist the ACP countries to take stock of their communications and information needs and to develop on that basis a national policy consistent with their own development objectives, to be guided by the constant concern to promote access by the greatest number to information and equality of opportunities between their citizens;
 11. Is aware that the ACP States will need to invest enormous sums in telecommunications infrastructure, including mobile radio-telephone services, which cannot be financed by the public sector alone, and should therefore seek to enter into an economic partnership with the appropriate businesses and educational establishments;
 12. Maintains that the ACP States should consequently lay down a framework of laws and regulations that must accord with the commitments required by the WTO as regards the principles governing regulation of basic telecommunications services, provide incentives for public and private sector investment, and encompass a pluralistic information policy;
 13. Calls on the EU Member States to take appropriate steps in the areas of human resources and technology transfer, and as regards involvement in Community research and development activities, with a view to opening up the information society to the developing countries;
 14. Urges the introduction of twinning between European regions and ACP States in the area of new information technologies to enable a response to be made to the real needs of the communities concerned and facilitate the integration of multi-media into the local cultural context;
 15. Calls on the ACP States, the Union Member States, and the Commission to support the expansion of university facilities to enable scientists to link up on the Internet and thus take part in world-wide discussions and learning processes;
 16. Notes that, in addition, special assistance will be required to enable universities, their libraries, and their scientific and technological research centres to link up across the world and thus help reduce information deficits in developing countries;
 17. Hopes that the choices made at international and national level in terms of the development of infrastructure, regulations, methods of access to networks and the fixing of tariffs are constantly guided by the desire to promote the access of the largest number of people to information and equality of opportunity between citizens;
 18. Encourages, in the interests of technological development, the introduction of digital radio receivers in ACP countries, which would enable existing projects for digital transmission by radio and satellite to be put on a concrete footing;
 19. Hopes also that European participation in the emergence of digital technologies in the ACP countries will be directed as a matter of priority towards networks serving the general interest in the areas of education, occupational training, public health and scientific research;
 20. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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RESOLUTION⁽¹⁾

on damage caused by Hurricane Georges in the Caribbean Region

The ACP-EU Joint Assembly,

- meeting in Brussels (Belgium) from the 21 to 24 September 1998,
 - considering the provision of the fourth Lomé Convention regarding emergency assistance, in particular from Art. 254 onwards,
 - A. being extremely concerned about the destruction done in the Caribbean region by Hurricane Georges, particularly in the islands of Antigua and Barbuda, Cuba, Dominica, the Dominican Republic, Guadeloupe, Haiti, Montserrat, St Kitts and Nevis, St Martin, Saba and St Eustatius; aware of the fact that the Bahamas are now threatened by Hurricane Georges,
 - B. considering the loss of lives, infrastructural damage to roads and port facilities, severe destruction to water and electricity supplies, the destruction of property, homes, schools, hospitals and crops,
 - C. noting that a state of emergency has been declared in some islands and that millions of dollars will be required for rehabilitation and to restore the economies of the affected countries,
1. Calls on the Commission of the European Union:
 - i) to assess the damage caused by the hurricane, evaluate the needs, provide adequate resources to assist with the rehabilitation of the states and overseas territories concerned, and motivate the international community to assist the rebuilding process and to support programmes of local disaster prevention;
 - ii) to assist with the transfer of technology that will in the future contribute to a reduction in the effects of another similar catastrophe;
 2. Instructs its Co-Presidents to forward this declaration to the ACP-EU Council and the Commission.
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⁽¹⁾ Adopted by the ACP-EU Joint Assembly on 24 September 1998 in Brussels (Belgium).