

## ANNEX III

**RESOLUTIONS ADOPTED**

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**RESOLUTION <sup>(1)</sup>****on children's rights and child soldiers in particular**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Rome (Italy) from 11 to 15 October 2003,
- having regard to Article 17(1) of its Rules of Procedure,
- having regard to the UN Convention on the Rights of the Child, which was adopted in 1989 and entered into force 1990, and has been ratified by all the ACP States and EU Member States and by the candidates for membership of the European Union,
- having regard to the entry into force on 18 January 2002 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,
- having regard to the entry into force on 12 February 2002 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,
- having regard to the new international standards and instruments aimed at increasing the protection of children, such as the United Nations Convention on the Rights of the Child and its protocols, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Ottawa Treaty on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines, the Statutes of the International Criminal Court, ILO Conventions 182 and 138, the Additional Protocol to the United Nations Convention against Organised Transnational Crime aimed at preventing, repressing and punishing trafficking in human beings, particularly women and children, the Convention on the Elimination of All Forms of Discrimination against Women, the four Geneva Conventions (12 August 1949) and the additional protocols thereto (8 June 1977), the Convention relating to the Status of Refugees and the Convention relating to the Status of Stateless Persons,
- having regard to the African Charter on the Rights and Welfare of the African Child, which entered into force in 1999,
- having regard to the ACP-EC Partnership Agreement, which was signed in Cotonou and entered into force on 1 April 2003,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 15 October 2003 in Rome (Italy).

- having regard to its previous resolutions and those of the European Parliament <sup>(1)</sup>,
  - having regard to the Council conclusions of 10 December 2002, endorsing the Council Working Group on Human Rights (COHOM) report on the implementation of a common strategy for child soldiers,
  - having regard to UN Security Council resolutions 1261, 1314, 1379 and 1460 and the UN Special Representative on Children and Armed Conflict Report to the General Assembly on the protection of children affected by armed conflicts,
  - having regard to the Council Framework Decision on combating trafficking in human beings of 19 July 2002 and to the Brussels Declaration on Preventing and Combating Trafficking in Human Beings adopted by the Council in November 2002,
  - having regard to the Special Session on Children of the UN General Assembly and its outcome document, 'A World Fit for Children' (10 May 2002),
  - having regard to the UN Millennium Declaration (2000) and the Millennium Development Goals, adopted at the Millennium Summit and pledged to by all UN Member States,
  - having regard to the World Education Forum in Dakar and its final document, Education for All: Meeting our Collective Commitments (2000),
  - having regard to the Libreville Declaration on the harmonisation of national laws to combat trafficking in children in West and Central Africa, adopted in Libreville in 2002 by 7 African countries, and to the resolutions pertaining to it, which were adopted by 21 African countries in 2002,
  - having regard to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women, approved at the Maputo Summit in July 2003 (second ordinary session of the Conference of the African Union), and the Cairo Declaration on the Elimination of Female Genital Mutilation, adopted on 23 June 2003 by representatives of 28 African and Arab countries taking part in the Afro-Arab Expert Consultation,
  - having regard to the Charter of Fundamental Rights of the European Union, in particular Articles 5 (prohibition of slavery and forced labour), 6 (right to freedom and security), 7 (respect for private and family life), 14 (right to education), 18 (right of asylum), 24 (children's rights) and 32 (prohibition of child labour and protection of young people at work),
  - having regard to its report of the Committee on Political Affairs (ACP-EU 3587/03),
- A. whereas all the ACP States and all the EU Member States and the candidates for EU membership have ratified the UN Convention on the Rights of the Child and are bound by this in consequence,
- B. whereas 'children' are to be defined as all young persons under the age of 18,
- C. having regard to the situation of children described in the explanatory statement of this report, and to the fact that 40 % of the world's population is now under twenty, that virtually all of that population (98 %) lives in the southern part of the globe and that any genuinely human and sustainable development process or strategy must therefore be based on greater consideration for the needs of the world's children,

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<sup>(1)</sup> The resolutions of the ACP-EU Joint Parliamentary Assembly, particularly those on child soldiers of 1 April 1999 and 23 March 2000, the resolution on the rights of disabled people in ACP countries of 1 November 2001, and the resolution on health issues of 21 March 2002, as well as the ACP-EU JPA 'Children's Rights' workshop, Brussels, November 2001, and the European Parliament resolutions of July 2003 on trafficking in children and child soldiers, of 6 September 2001 and 11 April 2002 on the EU position in the Special Session on Children of the UN General Assembly, of 17 May 2001 on child trafficking in Africa, of 6 July 2000 on child soldiers in Uganda, of 22 November 1999 on the tenth anniversary of the UN Convention on the Rights of the Child, of 28 January 1999 on the protection of families and children and of 17 December 1998 on child soldiers.

- D. whereas the UN is working towards an undertaking by all the world's States to make 18 the minimum age for conscription and voluntary military service; whereas, however, this has not yet been ratified by all the EU Member States,
- E. whereas in 2001 the European Commission disbursed only 4,1 % of the general budget of the European Union on education, in obvious contrast with its formal commitments,
- F. whereas impunity is an enormous problem in regard to human rights violations against children, since they have few instruments for reporting violence, and whereas the best way to avoid violations would be through prevention,
- G. whereas children in all regions of the world are victims of unscrupulous violence, physical abandonment, ill-treatment, torture and sexual abuse which is often carried out by the very individuals who are their carers and responsible for their well-being,
- H. whereas there is a need for a specific legislative instrument providing for penalties for all forms of violence against or harm caused to children, through for example social marginalisation, physical violence, mutilation and attacks on physical well-being, including female genital mutilation, sexual abuse and exploitation of children including child prostitution, child sex tourism, child pornography on the internet, child trafficking, trafficking in human organs, neglect within the family or by the legal guardians of the child, restriction of the right to be reunited with their kin,
- I. whereas a reorganisation of social and economic life must be envisaged in order to guarantee that children have the benefit of a protective family and living environment and that the ethical, cultural and social values of the society to which they belong do not prejudice the right of the child to a loving family,
- J. whereas special measures should be developed at EU level and within the framework of the ACP-EU partnership to ensure that the rights of children are respected within refugee camps across the ACP countries and throughout the asylum process in the EU,
- K. whereas access to health care in the European Union Member States and in other host countries is all too often limited by cultural and geographical barriers; whereas ethnic minorities are among the most excluded groups and, owing inter alia to historical discrimination, access to education for children belonging to ethnic minorities is often difficult,
- L. whereas disabled children constitute a particularly vulnerable group, and are amongst the most disadvantaged, and for many disabled girls and boys discrimination, abuse and lack of access to education are facts of life,

### **Children's rights in EU Development Cooperation**

1. Calls on all the ACP States, EU Member States and the accession countries to sign, ratify and implement immediately the United Nations Convention on the Rights of the Child and its protocols, particularly the optional protocol on the involvement of children in armed conflict, and to sign, ratify and implement other international standards and instruments guaranteeing the protection of children including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Ottawa Treaty on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines, the Statutes of the International Criminal Court, ILO Conventions 182 and 138, the Additional Protocol to the United Nations Convention against Organised Transnational Crime aimed at preventing, repressing and punishing trafficking in human beings, particularly women and children, the Convention on the Elimination of All Forms of Discrimination against Women, the four Geneva Conventions (12 August 1949) and the additional protocols thereto (8 June 1977), the Convention relating to the Status of Refugees and the Convention relating to the Status of Stateless Persons;
2. Calls on the European Commission and the Council of the European Union to work to secure the universal ratification of these instruments in the context of their political dialogue with ACP countries;
3. Calls on the European Commission and the ACP -EU Council to develop programmes aimed at supporting countries in their efforts to ensure that the international legal instruments relating to children's rights are implemented, inter alia by reinforcing their national committees to assess implementation of the Convention on the Rights of the Child;

4. Calls for the creation of a system of early warning indicators relevant especially to the situation of children and respect of their fundamental rights;
5. Calls on the Intergovernmental Conference on the Future of Europe to include a legal basis in the Treaty to promote and protect children's rights as set out in international law and to promote and protect the best interests of the child in all EU policy, programmes and legislation;
6. Calls on the European Commission to ensure that all EU legislation and policy are fully compatible with the Convention on the Rights of the Child and that all proposed EU directives, policies and programmes be subject to child impact analysis in order to assess their potential implications for children; calls on the governments of the ACP countries to adopt the same course;
7. Calls on the European Commission and the Council of the European Union to implement its commitment to integrate a children's rights perspective in the development co-operation instruments by adopting a double-track approach of both mainstreaming and actions that specifically target children's rights; to issue strategic implementation guidelines without delay; and to inform the ACP-EU Joint Parliamentary Assembly on the progress made in this domain;
8. Stresses that promotion of the rights of the child, including the fight against child slave labour and the use of child soldiers, must be a political priority for the European Union and the ACP countries, to be implemented by means of appropriate allocations when budgets are negotiated, as well as in the EDF, particularly its regional funding programmes;
9. Calls on the European Commission and the Council of the European Union to create a high-level post for children's rights in the European Commission and Council of the European Union in order to ensure overall coordination, monitoring of results, specific focus on children's rights and to create a stronger child dimension to all EU policy areas; suggests to the ACP governments that they also create such an office, in order to ensure overall coordination and to incorporate a stronger dimension into relevant policies;
10. Calls on the European Commission to present and implement a strategy for the follow up on the Special Session on Children of the UN General Assembly of May 2002, and to regularly inform the ACP-EU Joint Assembly on its progress; calls on the ACP and EU Member States to honour the commitments entered into at this Special Session on Children of the UN General Assembly and calls on the JPA to establish a mechanism to monitor the implementation of its recommendations;
11. Calls on the European Commission and Council of the European Union to conduct a campaign to encourage the EU Member States to endeavour to achieve as soon as possible, as laid down at international level, the objective of earmarking 0,7 % of their gross national product as a contribution to official development aid (ODA), and that of using between 0,15 % and 0,20 % of their GNP as ODA for the least developed countries, in view of the urgency and gravity of the particular needs of children;
12. Calls on the European Commission, the ACP States and the EU Member States to promote awareness-raising amongst children in their assistance programmes in order to ensure that children know and understand their human rights and to promote the participation of children in influencing the policy and practice of the ACP States, the EU Member States, the EU accession countries and the EU institutions;
13. Stresses that an integrated, comprehensive, balanced campaign to attack poverty at its very roots must remain the European Union's permanent long-term objective; in this connection, highlights the need for closer economic cooperation and an expansion of trade, development aid and conflict prevention as ways of promoting good governance, social protection, education and sustainable economic development in the countries concerned;
14. Urges the European Commission and the Council of the European Union to play a leading role in ensuring a coordinated response by national and international donors on the issue of children's rights;
15. Call for supporting and strengthening capacity of local actors, particularly civil society networks, for advocacy, protection and monitoring - this is the best means of ensuring local ownership and sustainability for these endeavours; Calls on the European Commission to consider the scope for simplifying the procedures by means of which local NGOs involved in development and the protection of children's rights can apply for European subsidies in a transparent and accountable manner;

16. Calls on the European Parliament's Committee on Budgets and the European Commission to continue their examination of possible ways of simplifying procedures for accessing European subsidies for local development and children's rights protection NGOs in a framework of transparency and responsibility;

17. Asks the European Commission's delegations, as part of the deconcentration process, to take account of issues relating to the rights of children, particularly indigenous and disabled children, in their Country Strategy Papers including the National Indicative Programmes;

18. Urges that consideration should be given to establishing free population registers in all the countries concerned with a view to protecting children against the risk of being sold, trafficked or recruited by force on to the labour market or into the armed forces, facilitating their access to medical care, welfare services and schooling;

#### *Health and nutrition*

19. Calls on the European Commission to act upon the findings of its 'Update on the EC Programme for Action — Accelerated action on HIV/AIDS, malaria and TB in the context of poverty reduction' (26 February 2003) which states that challenges remain great and mobilisation remains important and calls upon the budgetary authority to ensure that increased funding is made available for The Global Fund to Fight Aids, Tuberculosis and Malaria, for the campaign 'Vision 2020' to eliminate preventable blindness, and its own HAP (Health AIDS and Population) policies;

20. Considers that governments should encourage their citizens to make use of condoms, as the correct and consistent use of condoms reduces by 90 % the risk of HIV infection;

21. Calls on the Commission and Member States to prioritise children and young people in all health policies and to support them as key players in defeating the major health risks and the burden of disease throughout the world;

#### *Education*

22. Calls on the Council of the European Union and the ACP-EU Member States to increase European Development Fund aid for free basic education for children in the ACP countries and support for the Fast Track Initiative and the Education for All programme; calls on the ACP-EU countries to pay closer attention to the issue of the education and schooling of children, the most effective means of combating trafficking in children and their enrolment in armed forces, and, with that aim in view, urges that greater attention should be paid to educational and training opportunities for the most vulnerable groups, i.e. young girls and orphans or children affected by Aids;

23. Calls on the European Commission to devote adequate resources to children's education, in compliance with the provisions on social and human development (articles 25-27 of the Cotonou agreement); calls on the European Commission and the Member States to direct their development aid towards free, high-quality education accessible to all children;

24. Urges the European Commission to highlight the central role of education in its programming documents, such as Poverty Reduction Strategy Papers and Country Strategy Papers, including National Indicative Programmes, and in particular to guarantee access for indigenous children to education in a language which they understand, as well as the teaching of a national language to these children, and access to education for disabled children as stressed in the UNESCO's Flagship on Education for All and the Right to Education for Persons with Disabilities;

25. Calls on the European Commission to establish standards and mechanisms in collaboration with recipient countries to monitor the effectiveness of EU education aid and the inclusion of girls and women in the process;

*Children and armed conflict*

26. Calls on the parties in conflict <sup>(1)</sup> in Northern Uganda, Liberia, the DRC, Burundi, Somalia, Côte d'Ivoire and Sudan to put an immediate stop to the recruiting and use of child soldiers;

27. Asks the Council of the European Union and the Member States to consider taking targeted measures against parties where substantial progress is not found to have been made to stop the recruitment and use of child soldiers; Such measures should include:

- (a) the imposition of travel restrictions on leaders, and their exclusion from any governmental structures and amnesty provisions, a ban on the export or supply of arms, and a freeze on the flow of financial resources to the parties concerned;
- (b) applying pressure to warring parties which violate children's rights by cutting off or limiting their sources of support; this can be done by imposing sanctions on the trading of natural resources which come from conflict areas, cutting off economic support from diaspora communities, restricting the travel or foreign financial holdings of violators and denying recognition to individuals and groups which have committed crimes against children if they subsequently rise to power;
- (c) ensuring that those responsible for genocide, war crimes, crimes against humanity and other crimes perpetrated against children are prosecuted for these crimes and excluded from any amnesty provisions contemplated during peace negotiations;
- (d) a renewed call to the Member States to prevent, combat and eradicate illicit dealing in small arms and light weapons, traceability of which should be made compulsory, with a legal obligation to register and the possibility – even after many years have elapsed – of tracing the country of manufacture and origin;
- (e) training with regard to the rights of the child and child protection aimed at creating expertise within the EU and ACP Institutions, as well as for all military, police, humanitarian and civilian personnel involved in EU-led peacekeeping, peacemaking and peace-building operations, including them in all crisis management operations;

28. Condemns all abductions of children used as soldiers and sex slaves, such as the mass kidnapping of children by the LRA in northern Uganda, and calls for an immediate UN investigation into allegations of renewed arms and ammunition supplies to the LRA by Sudan;

29. Urges Member States to take concrete steps to investigate, prosecute and sanction individuals and corporate enterprises involved in the illegal trafficking of currency, arms, natural resources or other elements which exacerbate armed conflict and the abuse and brutalisation of children, to hold corporations within their jurisdiction accountable for their direct activities in conflict-affected countries, as well as for their indirect support to countries which violate the rights of children in conflict situations;

30. Emphasises that it is in situations of conflict and post-conflict that the proliferation and worsening of phenomena such as trafficking, sexual exploitation, lack of education, lack of health assistance, etc. is particularly severe and that children are affected the most;

31. Calls on the Council of the European Union to start without delay to draw up a common strategy on children and armed conflict, as it decided on 10 December 2002, and to keep the ACP-EU Joint Parliamentary Assembly regularly informed; recalls that, in the elaboration of this common strategy on children and armed conflict, it is essential for the EU to build on what has already been developed, trying to avoid previous mistakes and building on positive experiences <sup>(2)</sup> by the United Nations, in particular the UN Special Representative on Children and Armed Conflict;

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<sup>(1)</sup> As mentioned in the third report of the UN Secretary-General to the Security Council and its annex.

<sup>(2)</sup> Child protection advisors, the set of guidance material drafted by the Working Group on the incorporation of child protection in UN peacemaking, peacekeeping and peace-building processes; the training materials produced by the Working Group on child protection training for peacekeeping personnel; the Six Core Principles on the prevention of sexual exploitation adopted by the IASC Task Force; the framework built by the four Security Council Resolutions; the work done with regard to monitoring and reporting, as well as small arms and the illegal exploitation of natural resources.

32. Recommends the appointment of an EU Special Envoy on Children Affected by Armed Conflict, to provide leadership within the EU and its Common Foreign and Security Policy (CFSP), European Security and Defence Policy (ESDP) and community structures, to continue to focus world attention on the situation of children affected by armed conflict externally and to brief the European Parliament and the ACP-EU Joint Parliamentary Assembly on implementation of the EU Common Strategy on a regular basis;

33. Calls on the European Commission and the Council of the European Union to explore the EU's role as a regional organisation to ensure procedures and mechanisms to protect children in the context of armed conflict as set out in Security Council Resolution 1379 article 13(a) and (b);

34. Calls on the Council of the European Union, as part of its own capacity building effort (ESDP), to ensure the establishment of children's rights training procedures and requirements for all armed forces, police, judicial and detention officials, and other relevant actors;

35. Calls on the Council of the European Union to adopt the same minimum age standards for EU civilian police and military as announced for UN personnel by the UN Secretary General on 29 October 1998, including the requirement that the minimum age for civilian police and military observers be 25 years and for peacekeeping troops 21 years preferably and in no case less than 18;

36. Calls on the Council of the European Union, in the context of its crisis management efforts, to develop and publicise a comprehensive list of early warning indicators relevant also to children, incorporating the list into the EU's monitoring activities, and ensuring that the results of this monitoring are made fully available to EU decision-making bodies at every level;

37. Calls on the EU Member States and the Council of the European Union to ensure that children affected by armed conflict are included in disarmament, demobilisation, rehabilitation and reintegration processes (DDRR), taking into account the specific needs and capacities of girls; these processes must be sufficiently sustained to ensure a successful transition to normal life, with a particular emphasis on education; schools should be involved in the monitoring of children demobilised in order to prevent re-recruitment; calls on the European Commission to continue to support specific projects of this type; strongly condemns governments and armed opposition forces which continue to recruit children or which provide weapons and military aid to rebel movements that recruit child soldiers; calls on the ACP-EU Council to consider the recruitment and use of child soldiers as serious violations of the essential elements of the Cotonou Agreement;

38. Calls on the EU Member States, ACP governments and the Council of the European Union to ensure that special measures are taken to promote and protect the rights and meet the special needs of girls affected by armed conflict, who are often targeted for rape, abduction and trafficking, both during conflict and also in refugee camps when girls can be vulnerable to sexual and other exploitation; such programmes should therefore be developed to address problems in refugee camps and during post-conflict reconstruction when such programmes are often overlooked;

39. Calls on the European Commission to strengthen the coordination and complementarity of its policies and programmes in support of peace education, non-formal and formal education, vocational training, psychosocial support and rehabilitation measures in favour of former child soldiers, as well as other children and their families in the host community, in order to avoid potential segregation and unintended social tensions; mental health should be an issue to focus on, and psychosocial rehabilitation of children provided, especially in areas where the local population has been affected by conflict;

40. Calls on the Council of the European Union and the ACP- EU Council to allocate more financial resources to the prevention of children's involvement in conflict, and to the long-term reintegration of former child soldiers into society;

41. Encourages the European Commission and the ACP countries to maintain as a cross-cutting priority the issue of child soldiers, notably girl soldiers, who are particularly vulnerable and the main victims of egregious violations, sexual exploitation and abuse of every kind;

42. Asks all parties to ensure stronger mechanisms for compliance and monitoring and to build an effective system that will include the following components:

- immediate investigation of reported violations which threaten the survival of, or inflict permanent damage on, children during armed conflict, with channels for reporting to the Security Council members, as well as other bodies who could take action;
- deployment of child rights monitors and child protection advisors before, during and after conflicts, and improved mechanisms to ensure that their reports are followed up;
- early formation of inter-agency taskforces on specific situations, including NGOs, children and youth, to implement child-focused analyses, identify possible areas of influence, and develop coordinated child protection strategies;
- avenues for children and youth, NGOs, and local communities to present information to the Security Council so that it is well informed by various sources about specific situations;

43. Decides to establish a mechanism to assess the situation of children in armed conflicts, involving the United Nations, and in particular the UN Special Representative on Children and Armed Conflict, so that concerted pressure and targeted measures against violators can be recommended by the ACP-EU Joint Parliamentary Assembly;

44. Asks all ACP States and EU Member States to include the concerns of children in all peace negotiations and peace agreements;

#### *Violence and abuse*

45. Calls on the ACP, the EU and accession countries to amend or, where necessary, adopt legislation prohibiting all forms of violence against children and particularly the sex trade in children, and to enforce such legislation by ensuring that those responsible for such abuses are brought to justice;

46. Calls on the European Commission and the EU Member States to make financial and other contributions to the UN Study on Violence against Children;

47. Calls on the EU Member States and the ACP countries to enforce legislation as outlined in Paragraph 45, through thorough and prompt investigation of instances of violence against children, ensuring that those responsible for abuse are brought to justice;

48. Urges the ACP States signatory to the additional Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women to ratify it without delay, and the Cotonou Agreement institutions to promote information and awareness campaigns on the subject;

#### *Child trafficking*

49. Calls on the European Commission and the Council of the European Union to implement a wide-ranging partnership with international and regional organisations, including the African Union, with a view to combating effectively trafficking in children, child slavery and the enrolment of children in fighting units; a principal aim of such a partnership should be to tackle the root causes of child trafficking;

50. Urges that, on the basis of this partnership, consideration should be given to establishing free population registers in all the countries concerned with a view to protecting children against the risk of being sold, trafficked or recruited by force into the labour market or into the armed forces, facilitating their access to medical care, welfare services and schooling and fostering transparency and democracy, in particular when elections are called;

51. Calls on the European Commission and the EU Member States to fund the institution of training programmes in children's rights for teachers, police, staff of correctional and non-penal institutions and others who work with children;

52. Welcomes the move made by the countries of West and Central Africa to step up and coordinate their efforts under the 'Libreville Declaration' and urges them, in keeping with the spirit of that declaration, to implement close regional cooperation with a view to drawing up a regional agreement against trafficking which must incorporate a regional protocol providing for the return, repatriation and reintegration into society of children who have been victims of trafficking, on the basis of cooperation with the countries of 'origin', 'destination' and 'transit', local NGOs and multilateral organisations, such as UNICEF and the ILO; the provisions of such a protocol should be implemented on the condition that it is in 'the best interests of the child'; also stresses the need to adopt national laws aimed at defining, preventing and prosecuting the phenomenon of child slavery and at developing harmonisation mechanisms based on the principles set out in the declaration;

53. Stresses the need for upholding the human rights perspective in the management of migration flows and calls for a child rights impact assessment of all the decisions taken to combat illegal immigration and trafficking in human beings;

54. Insists that EU Member States should not in any way criminalise victims of trafficking, especially children, but should instead provide them with adequate assistance and protection, in the form, inter alia, of temporary residence visas, irrespective of whether they are able to cooperate in the prosecution of traffickers;

55. Calls on the EU Member States to ensure that the Geneva Convention on the Status of Refugees is fully implemented and that immigration legislation and policy do not open the door to discrimination against foreign children;

56. Calls on the European Commission and the Council of the European Union to draw up a common European policy on child slavery based on a legal framework and legislative provisions including preventive measures, the application of criminal law, penalties against perpetrators and the provision of assistance and protection for victims;

57. Urges the European Commission and the Council of the European Union to implement fully the Brussels Declaration on Preventing and Combating Trafficking in Human Beings approved by the Council of the European Union on 8 May 2003 as part of its efforts to develop a comprehensive European policy against trafficking in human beings, and welcomes the setting up by the European Commission of a group of EU experts to gather information on child trafficking;

58. Reiterates its call for international arrest warrants to be issued against the organisers and members of child slavery networks;

#### *Children and Society*

59. Declares that institutional, civil, social and economic policy must give priority to all children whether they live in a family environment or not, in order to redress the obvious imbalances in society, as in Europe there is a tendency to emphasise economic aspects to the detriment of social protection, and in the ACP countries to protect the dominant class to the detriment of poor, marginalised and disadvantaged sectors of the population; calls also for the support of programmes to assist displaced children and facilitate family re-unification, as children displaced or separated from their families are at higher risk of exploitation and forcible recruitment by armed forces or groups;

60. Calls for all the ACP States to restructure their national budgets with a view to operating an effective revenue policy and, above all, diverting funds from arms to support for all children whether they live in a family environment or not and to social measures, with the aim of limiting arms expenditure amounts to no more than 2 % of GDP by 2010;

61. Calls for policies to provide funding for health care, housing, support to income-generating activities through micro-credits, education, literacy and mine-risk education programmes; in addition, calls for programmes to guarantee water and energy supplies;

62. Calls on the EU Member States and the ACP States to issue an annual progress report on the implementation of children's rights protection legislation;

63. Calls for this report, which should bear the title 'ACP-EU Declaration on the Protection of Children's Rights', to be adopted by the European Parliament and the ACP States' parliaments;
64. Decides to draw up an annual progress report on the implementation of, and compliance with, this Declaration;
65. Notes that, should blatant violations of children's rights occur, the ACP-EU Joint Parliamentary Assembly may apply to the International Criminal Court to prosecute crimes against children which are crimes against humanity;
66. Recommends the inclusion of a specific reference to respect for children's rights in the political dimensions of the Cotonou Agreement;
67. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the accession countries and the relevant United Nations bodies.

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### RESOLUTION <sup>(1)</sup>

#### **on sustainable management and conservation of natural resources in ACP countries in the context of the 9<sup>th</sup> EDF programming**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Rome (Italy) from 11 to 15 October 2003,
- having regard to Article 17(1) of its Rules of Procedure,
- having regard to Articles 177, 178, 179, 180, 181 and 181a of the EC Treaty,
- having regard to the ACP-EC Partnership Agreement signed in Cotonou on 23 June 2000 <sup>(2)</sup>,
- having regard to the Rio Declaration on Environment and Development, adopted in Rio de Janeiro on 14 June 1992,
- having regard to the Agenda 21, adopted in Rio de Janeiro in 1992, and especially to its Chapter 8 (Integrating Environment and Development in Decision-Making),
- having regard to the Doha Declaration, adopted by the Fourth WTO Ministerial Conference on 14 November 2001,
- having regard to the UN Millennium Declaration and the Millennium Development Goals adopted on 8 September 2000 in New York <sup>(3)</sup>,
- having regard to the outcome of the September 2002 World Summit on Sustainable Development (WSSD) held in Johannesburg from 26 August to 4 September 2002 and, in particular, the Plan of Implementation adopted,
- having regard to its resolutions of 3 April 2003 on the Johannesburg Summit, on the follow-up to the Johannesburg Summit, and on research and sustainable development <sup>(4)</sup>,
- having regard to the Commission Communication on the European Community's Development Policy of 26 April 2000,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 15 October 2003 in Rome (Italy).

<sup>(2)</sup> OJ L 317, 15.12.2000, p. 3.

<sup>(3)</sup> A/55/L2.

<sup>(4)</sup> OJ C 231, 26.9.2003, p. 19.

- having regard to the Council and Commission Joint Declaration of 10 November 2000 on the European Community's Development Policy <sup>(1)</sup>,
  - having regard to the resolution of the European Parliament of 1 March 2001 on the Commission Communication to the Council and the European Parliament on the European Community's Development Policy <sup>(2)</sup>,
  - having regard to the European Commission's communication 'Towards a Global Partnership for Sustainable Development' <sup>(3)</sup>,
  - having regard to the European Commission's communication 'Integrating Environment and Sustainable Development into Economic and Development Cooperation Policy' (October 1999),
  - having regard to the New Partnership for Africa's Development (NEPAD) initiative launched in Abuja in October 2001,
  - having regard to its resolution of 3 April 2003 on the New Partnership for Africa's Development (NEPAD) <sup>(4)</sup>,
  - having regard to the report of the Committee on Social Affairs and the Environment (ACP-EU 3590/03),
- A. whereas the Rio Declaration recognises that 'the right to development must be fulfilled so as to equitably meet development and environmental needs of present and future generations', and that 'in order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it',
- B. whereas Agenda 21, approved in Rio de Janeiro in 1992 and reconfirmed in Johannesburg in 2002 as the international agenda for achieving sustainable development, states in its chapter 8 that one of its overall objectives is to integrate environmental concerns in decision-making,
- C. whereas Agenda 21 calls for a significant improvement or restructuring of the decision-making process so that the consideration of socio-economic and environment issues is fully integrated, together with a broader range of public participation; whereas it also gives concrete recommendations on how to implement those principles,
- D. whereas the Heads of State and Government reaffirmed in the United Nations Millennium Declaration of September 2000 their support for the principles of sustainable development, including those set out in Agenda 21,
- E. whereas one of the eight Millennium Development Goals (MDG) calls for ensuring environmental sustainability, through integration of the principles of sustainable development into country policies and programmes and through the reversion of loss of environmental resources, and by setting targets to reduce by half the proportion of people without access to safe drinking water by 2015 and to achieve significant improvement in the lives of at least 100 million slum dwellers by 2020,
- F. whereas the Johannesburg Declaration on Sustainable Development reflects the commitment of representatives of the peoples of the world to strengthen and improve governance at all levels for the effective implementation of Agenda 21, the Millennium Development Goals and the Plan of Implementation of the WSSD,
- G. whereas the outcome of the Johannesburg WSSD, while relatively limited in scope, must now be carefully monitored and implemented; whereas new and more far-reaching agreements must be sought in other foras,

<sup>(1)</sup> Doc. 13458/02 DEVGEN 140.

<sup>(2)</sup> OJ C 277, 1.10.2001, p. 20.

<sup>(3)</sup> COM(2002) 82.

<sup>(4)</sup> OJ C 231, 26.9.2003, p. 22.

- H. whereas the General Affairs and External Relations Council Conclusions of 30 September 2002<sup>(1)</sup> reaffirms the commitment of the EU in its internal and external policies to fulfil the targets agreed in the Johannesburg Plan of Implementation,
- I. whereas the ACP-EU partnership agreement signed in Cotonou declares in its preamble the commitment to achieve sustainable development and to pay particular attention to the pledges made at Rio de Janeiro,
- J. whereas Article 32 of the Cotonou Partnership Agreement clearly defines how environmental protection and sustainable use and management of natural resources should be taken into account as an area of support in development strategies,
- K. whereas Article 20 of the Cotonou Partnership Agreement clearly stipulates that environmental issues shall be mainstreamed into all areas of cooperation and is eligible for EU support,
- L. whereas 70 % of the world's poor live in rural areas and have an immediate survival dependence on natural resources from which they derive food, water, energy, housing, medicines and clothing on an uninterrupted basis; whereas to guarantee these resources, stable and productive ecological systems must be secured, which will effectively constitute net revenue for the poor,
- M. having regard to the vulnerability of ACP countries to desertification, climate change, degradation of coastal and maritime resources, particularly in small island developing states, as well as loss of biodiversity, which are a major concern for the sustainable development in these countries,
- N. whereas the effects of terrestrial cycles and the consequences of the greenhouse effect, including desertification (with the shrinking of cultivable areas) and the disappearance of ice (with rising water levels which threaten islands), to which the developing countries are most dangerously exposed, are problems which the scientific community has been warning us of for many years, which have never been sufficiently taken into account by the institutions of the Cotonou Agreement, and which require the governments of the countries concerned to plan programmes for the prevention of long-term effects in consultation with neighbouring governments, partner countries, multilateral bodies, industry and civil society,
- O. whereas natural resource policy and management are the subject of major regional programmes, such as that of the CILSS (Permanent Interstate Committee for Drought Control in the Sahel),
- P. whereas the ACP States and EU Member States have concluded agreements on fisheries and the exploitation of fish stocks and the seabed,
- Q. whereas the populations of ACP countries are faced with a number of serious problems and shortcomings which constantly jeopardise their quality of life in relation to the sustainable management and conservation of natural resources, namely:
- poor management of forests, parks and wild animals,
  - soil erosion and desertification,
  - poor management of water and sanitation,
  - poor management of fisheries, often as a consequence of badly designed fisheries agreements between the ACP and the EU and of illegal fishing,
  - poorly managed mining activities,
  - poor management of waste, including plastic waste,
  - inadequate efforts to harness the huge potential for efficient use of biomass and direct solar energy existing in most ACP countries,

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<sup>(1)</sup> 12067/02.

- R. whereas in ACP countries an increasingly complex mix of trade and export incentives and subsidies have contributed to the degradation in quantity and quality of natural resources to the degradation of ecological systems threatening their capacity for self regeneration (fisheries), significantly disrupting entire (forest) regions, and creating trans-boundary problems (water),
- S. whereas 'Sustainable Impact Assessments' could be an instrument in trade negotiations for assessing more accurately the effects of trade liberalisation on sustainable development,
- T. whereas the multi-dimensional concept of sustainable development has not been fully integrated in EC programmes and programming documents, in particular the dimension of sustainable management and conservation of natural resources in countries heavily dependent on those resources for their economic survival,
- U. concerned at the environmental impact of economic decline, more specifically the loss of market access and the fall in prices of important ACP commodities such as sugar, rice and bananas,
- V. expressing concern that the environmental country profiles, which are an indispensable component in the EDF programming process, are lacking for many ACP countries,
- W. alarmed by the generally wide gap between the objectives expressed in EU development policy papers, notably as regards the need for sound management of the natural resources base, and the manner in which these policy objectives are implemented,
- X. mindful of the fact that a very large proportion of logging concessions in many ACP countries are in the hands of private companies and that the local communities affected by the logging most often get no part of the proceeds,
1. Calls on the European Commission, the United Nations, the World Bank and the other development agencies, as well as the governments of the EU Member States, the EU applicant countries, the ACP countries and the other developing countries to fully implement, with actions and not only with words, the principles laid down in the Rio Declaration, Agenda 21 and the Millennium Declaration, as well as the conclusions of the Johannesburg WSSD;
2. Calls on the European Commission and the ACP countries to implement without delay the Johannesburg WSSD Implementation Plan and, notably the provisions included in the chapters dedicated to Africa, Asia, the Caribbean and International Organisations;
3. Calls on the European Commission to implement fully its communication of October 1999 on 'Integrating environment and sustainable development into economic and cooperation policy', and specifically Chapter 6.2 'country and regional strategy and programming';
4. Calls on the Commission to improve the level of understanding and competence among its staff regarding natural resources management, in particular in the context of poverty reduction strategies;
5. Calls on the European Commission and ACP National Authorising Officers (NAOs) to take Article 32 of the Cotonou Agreement fully into consideration when undertaking the Country Strategy Papers (CSPs) mid-term reviews foreseen in Articles 5 and 11 of Annex IV;
6. Calls on the European Commission and the governments of the ACP countries to ensure that, in conformity with Articles 2, 4, 5, 6, 7, 9 and 19 of the Cotonou Agreement, the mid-term review will involve community organisations as well as non-profit non-governmental organisations in the evaluation of national development strategies and programmes, in the framework of a transparent and participatory consultation process;
7. Calls on the European Commission and the NAOs of the ACP countries to ensure that the timetable foreseen for the mid-term review of the existing CSPs and the preparation of the new CSPs makes possible the transparent and participatory consultation approach described above;

8. Calls on the European Commission and the beneficiary countries to take full advantage of the possibilities offered by the mid-term review exercise by placing sustainable management of natural resources at the very heart of development strategy in those countries heavily dependent on exploiting a limited number of natural resources;
9. Reiterates its request to the European Commission and ACP country governments to make sustainable energy a priority in the programming process, giving special attention to providing access to modern energy services for the poor while benefiting as much as possible from renewable energy sources in such endeavours;
10. Asks them also to support a shift away from the extensive and widespread use of unprocessed solid fuels, particularly biomass, for cooking and heating indoors to less polluting sources of energy, including solar power, so as to reduce damage to human health from indoor exposure to pollutants and achieve wider environmental benefits;
11. Calls on the European Commission and the ACP countries to continuously report to the ACP-EU Joint Parliamentary Assembly on progress made by the European Water Fund as well as on steps taken in the context of the EU Energy Initiative and the Johannesburg Renewable Energy Coalition;
12. Calls on the European Commission and the EU Members States to make full use of the possibilities of EDF funds for financing studies, assessments and audits, as provided for in Article 9 of the Internal Agreement on EDF spending, and to use part of these funds to undertake an exhaustive mapping of the situation of all ACP countries in terms of environmental situation (environmental country profiles);
13. Urges the European Commission and the ACP countries to make sure that environmental country profiles are properly prepared within each ACP country as an important part of the programming process;
14. Proposes that the environmental profiles mentioned above cover at least the following aspects:
  - the level of dependence on the exploitation of a limited number of natural resources,
  - control and ownership of natural resources,
  - land tenure systems,
  - state of conservation and degradation of natural resources,
  - analysis of governmental sectoral policies (diversification, negative and positive incentives, land tenure regimes);
15. Calls on the European Commission and the beneficiary countries to fully integrate the results of such country environmental profiles into the conceptual processes leading to the CSPs or their mid-term review, addressing each and every problem identified;
16. Calls on the ACP States, in conformity with Article 9 of the Cotonou Agreement, to ensure that the principles of good governance are applied to the exploitation of natural resources, and specifically with regard to uncontrolled and illegal exploitation of natural resources, such as illegal logging and illegal fishing, hunting and trade in endangered species, along with transparent decision-making for equitable access to natural resources while respecting the primacy of law;
17. Calls on the European Commission and ACP countries to start negotiations within the Economic Partnership Agreements (EPAs) for a ban on the import of non-certified (bushmeat unfriendly) timber, given the strong link between commercial logging in Central Africa and an increasing commercial bushmeat trade which encourages overhunting and causes deforestation and the depletion and extinction of animal species, notably the endangering of monkeys and great apes;
18. Calls on the European Commission and the EU Member States for assistance to develop alternative, sustainable economies in foodstuffs in areas traditionally reliant on bushmeat, including where appropriate the limited hunting of animals such as cane rats and antelope so as to ensure their preservation, and support for enforcement of laws, education and ecotourism as means of protecting endangered species;

19. Calls on the European Commission to provide support in the CSPs and RSPs for capacity building of public and private actors to promote the good governance of natural resources management, and to support legislative reform in ACP states to be addressed at national and regional levels;
20. Calls upon the institutions established by the Cotonou Agreement, in view of the many studies and research projects carried out on environmental issues, to put in place effective measures for control, prevention and action on the ground, both in terms of the exploitation of non-renewable resources and with regard to specific measures concerning infrastructure;
21. Welcomes the efforts in the area of trade to use 'Sustainable Impact Assessments' to make a prior evaluation of the possible effects of trade liberalisation on sustainable development; calls on the European Commission to focus further attention on that area and to undertake to follow up this matter;
22. Is concerned that populations are finding it increasingly difficult to secure access to natural resources such as water, which constitutes a fundamental human right;
23. Asks the European Commission to withdraw its calls for the distribution of water to be liberalised in the developing countries under the GATS agreements within the WTO and to abstain from calling for such measures in the context of the EPAs;
24. Calls for full application of the General Affairs and External Relation Council's conclusions (2463) of 18 November 2002 recalling Indigenous Peoples' rights regarding their own development pattern and impact analysis of CSPs/RSPs;
25. Calls on the EU and in particular, the European Commission to take steps to defend the relevant protocols and agreements so as to prevent further loss of earnings and employment to ACP countries producing sugar, rice and bananas;
26. Calls on the ACP-EC Development Finance Cooperation Committee foreseen in Article 83 of the Cotonou Agreement (the Article 83 Committee) to ensure that the CSPs and RSPs will address problems caused by over-exploitation of natural resources, and the effects of such over-exploitation on local communities;
27. Urges the European Commission and the ACP governments to make sure that part of the income from forestry projects in ACP countries is allocated for assistance to the local populations affected by such projects;
28. Calls on the Article 83 Committee to ensure that adequate financial resources are provided for natural and regional programmes and projects to address poverty resulting from environmental degradation;
29. Urges the European Commission to earmark a substantive part of development appropriations outstanding ('RAL' or 'Reste-à-liquider') to strengthen capacity building in ACP countries in the field of the sustainable management and use of natural resources;
30. Calls on the European Commission, the EU Member States and the governments of the ACP countries to ensure complementarity between Country and Regional Strategy Papers in order to address regional environmental challenges and threats;
31. Commits itself to set up an effective system of on-the-spot parliamentary scrutiny of the implementation of the Cotonou Agreement in general and the sustainable management and conservation of natural resources in ACP countries in the framework of the 9<sup>th</sup> EDF in particular;
32. Suggests that the members of the ACP-EU JPA initially select seven areas in order to undertake effective parliamentary scrutiny on the basis of the implementation of national indicative programmes and regional indicative programmes, namely:
- poor management of forests, parks and wild animals,
  - soil erosion and desertification,

- poor management of water and sanitation,
  - poor management of fisheries, often as a consequence of badly designed fisheries agreements with the EU,
  - poorly managed mining activities,
  - poor management of waste including plastic waste,
  - inadequate efforts to harness the huge potential for efficient use of biomass and direct solar energy existing in most ACP countries;
33. Calls on the European Commission and the ACP-EU Council to examine the ways and means which will make it possible materially and financially for Members of the ACP-EU Joint Parliamentary Assembly to perform this important task;
34. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the Secretary-General of the United Nations, the African Union and the Caribbean Community.

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### RESOLUTION <sup>(1)</sup>

#### on the use of the European Development Fund

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Rome (Italy) from 11 to 15 October 2003,
  - having regard to Article 17(1) of its Rules of Procedure,
  - having regard to the Partnership Agreement between the Members of the African, Caribbean and Pacific (ACP) Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 <sup>(2)</sup>, and in particular Annex IV thereof,
  - having regard to the resolutions on the management of the European Development Fund adopted at Libreville (Gabon) in 2001 <sup>(3)</sup>,
  - having regard to the work of the European Convention on the Future of Europe,
  - having regard to the European Commission's Communication on the budgetisation of the EDF (COM(2003) 590) <sup>(4)</sup>,
  - having regard to the report of the Committee on Economic Development, Finance and Trade (ACP-EU/3602/03),
- A. whereas the EDF has since 1957 been the main financial instrument for cooperation between the European Union and the countries of Africa, the Caribbean and the Pacific,
- B. whereas the EDF should continue to be an example of dialogue and solidarity,
- C. whereas no one suffers from the development of others, in fact quite the contrary,
- D. whereas since the Cotonou Agreement aid has been targeted not only at the ACP States but also at joint institutional bodies, the private sector and financial investors as well as civil society and NGOs in recognition of their essential role in the achievement of the goals of the ACP-EU partnership,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 15 October 2003 in Rome (Italy).

<sup>(2)</sup> OJ L 317, 15.12.2000, p. 3.

<sup>(3)</sup> OJ C 265, 20.9.2001.

<sup>(4)</sup> Not yet published in OJ.

- E. whereas since the first EDF the volume of resources has increased constantly owing to the successive enlargements of the Union,
- F. whereas Non State Actors, in line with their recognition as bona fide actors of the ACP-EU partnership, are to be granted access to the EDF for the first time in its history, through its 9<sup>th</sup> instalment,
- G. whereas the EDF is essentially intergovernmental in nature,
- H. whereas the EDF is rigidly separated from the European Union budget, which excludes the European Parliament and the ACP-EU Joint Parliamentary Assembly from any decision concerning the EDF,
- I. whereas no parliamentary control is exercised, in global terms, over the use made by the ACP States of monies paid out by the European taxpayer; whereas, furthermore, there are no effective instruments for monitoring the implementation of the appropriations allocated by Union bodies, and whereas the Cotonou Agreement makes no provision for any such instruments,
- J. whereas the absence of budgetary annuality of the EDF results in a time lag between the theoretical and actual dates of entry into force,
- K. whereas an EDF remains operative for as long as the appropriations made have not been utilised,
- L. whereas unused EDF resources would appear to total nearly 11 billion euro, a quarter of which have not yet been committed,
- M. whereas respect for and promotion of human rights inspire and constitute the basis of relations between the European Union and its Member States and the ACP States, as set out in Article 9 of the Cotonou Agreement; having regard to the importance of political dialogue between the parties and the obligation to take measures to ensure respect for the principles referred to above and guarantee the mechanisms to be used to sanction serious breaches thereof (Article 96 of the Cotonou Agreement; EP resolution A5-0296/2000 concerning cooperation with ACP States involved in armed conflicts),
- N. whereas the accumulation of remaining balances is inadmissible in view of the urgent needs of the ACP States,
- O. whereas it is the duty of the European Commission and the Member States to do all they can to ensure the appropriations available are actually used and as soon as possible,
- P. whereas importance should be attached to the specific characteristics of each country,
- Q. whereas the European Commission is pursuing a policy of deconcentration,
- R. whereas the national authorising officers are the leading players in the management of the resources provided to countries and regions,
- S. whereas with regard to the creation of a global fund of world-wide scope to address problems such as pandemics, education, water and debts, etc., ACP States should be properly consulted during the decision making process to establish and allocate such funds and it is unacceptable that ACP States should risk losing out as a result of the transfer of part of the EDF to these funds,
- T. whereas funds from the EDF are increasingly being channelled through global funds, which are not subject to the same levels of consultation with ACP States and civil society, and review processes as funds channelled through National Indicative Programmes,

- U. whereas in the spirit of the Joint Parliamentary Assembly (JPA) it is our common responsibility to ensure not only the survival of the EDF, which is a lever for progress, but also undiminished financial support for the ACP,
1. Attaches particular importance to the continuation of a specific policy for European Union development aid to ACP States and is keeping a watchful eye on whether this specific policy receives targeted, perennial and guaranteed financing;
  2. Wishes to contribute to the debate on improving the workings of the EDF;
  3. Welcomes the increase in the transferral of decision-making powers to the EU delegations and the granting of direct access to the European Commission's accounting systems as long as this is to be accompanied by the provision of adequate staff and enhanced training in the new responsibilities of the Delegations, including liaising with Non-State Actors;
  4. Hopes that additional resources will be provided to national and regional authorising officers, in order to strengthen the capacity of their offices, and that procedures can be reformed in order to facilitate their work;
  5. Hopes for the introduction of objective, simple and clear criteria, together with appropriate budgetary procedures, that would facilitate both the mid-term review and potential reallocations of resources, as well as future EDF management;
  6. Calls on the European Commission and the ACP General Secretariat to draw up, in time for the next JPA session, a joint report on the advantages and disadvantages of incorporating the EDF into the EU budget (budgetisation);
  7. Calls for the mid-term review process to be designed in a manner that allows it to be conducted jointly and based on precise and objective criteria that conform to the criteria and parameters set out in Article 3(1) of Annex IV to the Cotonou Agreement;
  8. Emphasises the importance of pinpointing indicators in a transparent manner reflecting the specific characteristics of each country for the purpose of defining needs and performance;
  9. Insists that performance criteria adopted should be understandable and transparent with a view to ensuring that the reasons for any changes in resource allocations to ACP States are clear and unambiguous;
  10. Insists that the performance criteria should be approved by both parties;
  11. Insists that the mid-term reviews should not be a punitive exercise but one of reorientation where needs be;
  12. Calls on the Council of the European Union to ensure that no decision is taken before the completion of the review exercise, to divert to global funds monies set aside for possible increments of allocations to the National Indicative Programmes following the reviews;
  13. Calls on both the European Commission and the ACP General Secretariat to prepare for the members of the JPA a quarterly report on disbursement, with specific reference to the extent of the reduction in the remaining balances and to the resources used by each party to achieve this;
  14. Calls on the European Commission and the ACP General Secretariat to bring forward proposals for the rapid absorption of the current remaining balances and for speeding up the implementation of the projects for which appropriations have been committed;
  15. Calls on the European Commission and ACP General Secretariat to spell out clearly procedures on how aid to countries undergoing conflicts, or for which aid has partially been suspended, will be reviewed in the absence of a mid-term review;
  16. Calls on the European Commission to carry out a comprehensive evaluation of the mid-term review exercise at its close, evaluating inter alia the quality of the participation of Non-State Actors, the focus on poverty of the Programmes and the adequacy of the level of resources allocated as a result of the reviews;

17. Calls for a special effort to be made in favour of countries that are undergoing reconstruction or have experienced serious conflicts; calls on the European Commission to produce a report on the effects of the sanctions imposed on certain countries, their relevance, whether they need to be maintained, and the true impact they have had on the people and the attitudes of their leaders, and calls on it to present forward-looking proposals in this regard;
  18. Calls for the financing of the African Union intervention and peace-keeping forces in the areas of conflict on (flash points) on the African continent;
  19. Calls on the European Commission, with regard to global funds, to associate the ACP States in the decision-making process and to consult Non-State Actors, not forgetting the importance of regular review procedures;
  20. Calls for part of the EDF funds to be allocated to recognised and reputable international and national organisations which are active in the campaign to reduce infant mortality by 2015, in accordance with the UN Millennium Development Goals;
  21. Calls on the European Commission and the ACP General Secretariat to submit a report on the benefits of allocating EDF funding to the global funds (pandemics, water, education, debt, etc.) and on the positive or negative effects that the ACP States could expect from this;
  22. Calls on the ACP States to state at the JPA their position on the use of uncommitted EDF appropriations;
  23. Hopes that uncommitted appropriations can be added to the budget for 'intra-ACP' projects involving multiple ACP States to contribute to large infrastructure programmes of regional relevance;
  24. Requests from both the European Commission and the Council of the European Union a joint report on the beneficial effects that the ACP States could expect from this in terms of furthering their interests;
  25. Reiterates its concern that the ACP States' share of EDF contracts is only 25 %, while European enterprises are awarded the lion's share of the contracts, and calls on the European Commission and the ACP States to rectify this imbalance;
  26. Invites the ACP States, as the beneficiaries of development aid, to inform the JPA of the difficulties they encounter in trying to gain access to EDF funds and implement projects;
  27. Calls for the implementation and presentation of projects responding to the elementary needs of the vast majority of ACP populations: access to drinking water, healthcare, education and food safety, etc;
  28. Emphasises the need for parliamentary control and looks forward to the European Commission presenting proposals in this respect;
  29. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission and the Commission of the African Union.
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**RESOLUTION <sup>(1)</sup>****on the situation in West Africa**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Rome (Italy) from 11 to 15 October 2003,
  - having regard to its previous resolutions on the situation in West Africa,
- A. whereas 14 years of violence and misrule in Liberia have resulted in immense human suffering, particularly among civilians, as well as gross human rights violations, massive displacement of populations, and a breakdown of social and economic structures, with 85 % of the population living below the poverty line,
- B. whereas the conflict in Liberia has also contributed to severe destabilisation in the whole West Africa subregion, creating a humanitarian crisis of tragic proportions,
- C. whereas the peace agreement signed in Accra on 18 August 2003 under the aegis of ECOWAS constitutes a fundamental step towards restoring peace, security and stability in Liberia and, indeed, the whole West Africa subregion,
- D. whereas the speedy and complete deployment of the UN stabilisation force, which began operations on 1 October 2003 in accordance with UNSC Resolution 1497 (2003), becomes all the more urgent to safeguard the implementation of the peace agreement,
- E. whereas the implementation of the reforms envisaged by the various agreements concluded by the political and military forces must lead a unified and cohesive Côte d'Ivoire to credible, transparent and open elections in 2005,
- F. whereas, as a matter of urgency, the opposing armed forces must be confined, disarmament must take place and the administration must be re-established throughout national territory,
- G. whereas a military coup d'état occurred in Guinea-Bissau on 14 September 2003,
- H. whereas Presidential elections took place in Togo on 1 June 2003,
- I. having regard to the European Union's statement of 12 February 2003, urging the Togolese authorities to ensure that the elections were held in a free and transparent manner that promoted the democratic process in Togo,
- J. having regard to the abortive attempt to launch a military coup d'état in Mauritania on 8 and 9 June 2003,
- K. whereas developing countries have been coerced into signing bilateral agreements with the US to grant US citizens immunity from prosecution before the International Criminal Court; and whereas refusal to sign these agreements would have resulted in the US cutting off military assistance funding to these countries,
1. Welcomes the comprehensive Liberia peace agreement signed in Accra on 18 August 2003 and calls upon all the parties to the agreement to implement it in good faith and to establish on 14 October a transitional government that will lead the country to free and fair elections in October 2005;
2. Commends ECOWAS for its untiring efforts that have led to this successful outcome, and commends Nigeria in particular, which played a key role in the peace process, for swiftly contributing troops to the Multinational Force which was deployed as a vanguard force of the UN stabilisation force;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 15 October 2003 in Rome (Italy).

3. Calls for the speedy and complete deployment of the UN stabilisation force in order to establish and maintain security throughout the country and to secure the delivery of humanitarian assistance;
4. Welcomes in this context the EU allocation of EUR 50 million to support the peace process under way in Liberia, but urges the EU, and ECHO in particular, to increase their response to the grave humanitarian situation;
5. Recalls that there can be neither amnesty nor impunity for war crimes, crimes against humanity and genocide;
6. Demands that all states in the region refrain from any action that might contribute to instability in Liberia or on the borders between Liberia, Guinea, Sierra Leone and Côte d'Ivoire;
7. Condemns any attempt to make direct or indirect use of violence in the political process in Côte d'Ivoire, as well as any threats to law and order and stability in the country;
8. Reaffirms its full confidence in, and support for, the national reconciliation process, based on the full implementation of the Linas-Marcoussis Agreements;
9. Welcomes the fact that the government of national reconciliation is now complete and encourages that government, the President of the Republic and all other parties to continue down the path to the reunification of Côte d'Ivoire without delay, as well as national reconciliation and the strengthening of democracy, with a view to the organisation of the elections in 2005;
10. Condemns unreservedly the military coup in Guinea-Bissau, calls for a return to constitutional order, and praises the role played by ECOWAS in promoting the formation of a transitional government;
11. Reiterates its attachment to democratic principles and to free and fair elections, which are the only means of achieving a change of government;
12. Stresses that a quick restoration of constitutional legality, democratic principles, especially the organisation of early and credible elections, and national reconciliation in Guinea-Bissau remain the basis for the continued EU – Guinea-Bissau partnership;
13. Notes the presidential election in Togo; regrets the confrontations in Tsévié without forming a prejudgement as to who was really responsible; hopes that in the next elections total transparency will be guaranteed with regard to electoral rolls and the issuing of voting cards;
14. Calls on the Togolese authorities to implement a genuine policy of openness towards the whole opposition, to take account of the criteria of good governance required by the European Union;
15. Recalls and welcomes the undertaking that Mr Sama, Prime Minister of Togo, gave to the European Parliament's Committee on Development in Brussels in October 2003 to hold municipal and senatorial elections before 31 December 2003 to speed up the normalisation of political activity in Togo and to develop political pluralism;
16. Calls on the Togolese political class to accept all initiatives aimed at creating conditions for:
  - increasingly democratic management of power,
  - national reconciliation,
  - economic and social recovery of the country;
17. Calls on the European Union to step up all its humanitarian aid programmes with a view to alleviating the sufferings of the people of Togo and its aid programmes to strengthen the current democratic process, pending negotiations, in the framework of the political dialogue provided for in Article 96 of the Cotonou Partnership Agreement, which could lead to a resumption of cooperation with Togo;
18. Unreservedly condemns the attempted military coup in Mauritania, which has cost the lives of several innocent people;

19. Welcomes the African Union's decision to set up a permanent peacekeeping force and the European Community's offer to contribute to funding this force;
  20. Asks that ACP countries that are suffering financially because of their refusal to submit to pressure concerning the International Criminal Court receive compensation through extension of their cooperation programmes;
  21. Calls on the governments of countries in the region where elections are due to be held to invite the Joint Parliamentary Assembly to observe them;
  22. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the Secretaries-General of the United Nations, the African Union and ECOWAS, and the Governments of Côte d'Ivoire, Guinea, Guinea-Bissau, Liberia, Nigeria, Sierra Leone and Togo.
-