MINUTES OF THE SITTING OF THURSDAY, 22 NOVEMBER 2007
(2008/C 58/04)

(The sitting opened at 9.10 a.m.)

IN THE CHAIR: Mrs KINNOCK

Co-President

1. **Substitutes**

The Co-President announced the following substitutes: Berman (for Arif), Czarnecki (for Aylward), García Margallo y Marfil (for López-Istúriz White), Hutchinson (for Rosati), Klass (for Gaubert), Neris (for Bullmann) and Pomés Ruiz (for Coelho).

2. **Approval of the minutes of Wednesday 21 November 2007**

The minutes were approved.

3. **Statement by Mr Louis Michel, Member of the Commission with special responsibility for development and humanitarian aid**

Mr Michel made a statement on behalf of the Commission.

4. **Action taken by the Commission on the resolutions adopted at the 13th session of the ACP-EU Joint Parliamentary Assembly, held in Wiesbaden (Germany)**

The Commissioner referred to a document that had been distributed detailing the follow-up by the Commission to the resolutions adopted in Wiesbaden.

5. **Debate with the Commission**

Speakers: Deerpalsing (Mauritius), Martens, Jimenez (Dominican Republic), Hutchinson, Thwalia (Swaziland), Schmidt O., Mporgomoyi (Tanzania), Aubert, William (Seychelles), Bowis, Ramotar (Guyana), Lehideux, Sithole (South Africa), Fernandes, Rodgers (Suriname), Berman, Thomas (St Kitts and Nevis) and Reid (Jamaica).

Mr Michel responded to the points raised in the debate.

6. **Vote on the motions for resolutions included in the reports submitted by the three standing committees**

— Report on the impact of foreign direct investment (FDI) in the African, Caribbean and Pacific States (ACP-EU/100.126/07/fin.) — Committee on Economic Development, Finance and Trade. Co-rapporteurs: Mrs Astrid Lulling and Mr Timothy Harris (Saint Kitts and Nevis).

Amendments 1, 2, 3, 4, 5 and 6 were rejected. The amended resolution was adopted with 5 abstentions.

— Report on access to healthcare and medicines, with a particular focus on neglected diseases (ACP-EU/100.083/07/fin.) — Committee on Social Affairs and the Environment. Co-rapporteurs: Mr Martin Magga (Solomon Islands) and Mr John Bowis.

Two oral amendments were introduced by the EU co-rapporteur and both were adopted. Amendments 1, 2, 3, 4, 5, 6, 7 and 8 were also adopted. The amended resolution was adopted unanimously.

7. **Vote on the urgent motions for resolutions**

— Compromise motion for a resolution on Natural Disasters in ACP States: EU funding for preparedness (EDF funds) and relief (ECHO funds) (ACP-EU/100.173/07/comp.) — replacing resolution APP/100.161, APP/100.162, APP/100.163, APP/100.164, APP/100.165 and APP/100.166.

Amendments 1 and 2 were adopted. The amended resolution was adopted unanimously.

— Compromise motion for a resolution on the situation in the Democratic Republic of Congo, particularly in the east of the country, and its impact on the region (ACP-EU/100.174/07/comp.) — replacing resolutions APP 100.167, APP 100.168, APP 100.169, APP 100.170, APP 100.171 and APP 100.172.

One corrigendum to the draft EN version of the resolution was announced. The resolution was adopted unanimously.
8. **Approval of Kigali Declaration on Trade**

Co-president Kinnock underlines the importance of the adoption of the Kigali Declaration on trade.

The Assembly approved the Declaration by acclamation.

Speaker: Berman

9. **Any other business**

Mr Ould Guelaye (Mauritania) thanked the Rwandan authorities, and, in particular, President Kagame and the Rwandan Parliament for their hospitality and for all their efforts in organising the 14th session of the Joint Parliamentary Assembly in Kigali and the accompanying social events.

10. **Date and place of the 15th session of the ACP-EU Joint Parliamentary Assembly**

The 15th session of the JPA would be held from 17 to 20 March 2008 in Ljubljana (Slovenia).

(The sitting closed at 11.10 a.m.)

René RADEMBINO-CONIQUET and  
Glenys KINNOCK  
Co-Presidents

Sir John KAPUTIN and  
Dietmar NICKEL  
Co-Secretaries-General
### ANNEX I

**ALPHABETICAL LIST OF MEMBERS OF THE JOINT PARLIAMENTARY ASSEMBLY**

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<tr>
<th>ACP Representatives</th>
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**COMMITTEE ON POLITICAL AFFAIRS**

**ACP Members**

- NZOMUKUNDA (BURUNDI), Co-Chairman
- LUTUNDULA (CONGO, Democratic Republic of the), VC
- DUGUID (BARBADOS), VC

**EP Members**

- CALLANAN, Co-Chairman
- JÖNS, VC
- POLEFER, VC
- BELIAN
- CARLOTTI
- COELHO
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## COMMITTEE ON SOCIAL AFFAIRS AND THE ENVIRONMENT

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ANNEX II

RECORD OF ATTENDANCE AT THE SESSION FROM 19 TO 22 NOVEMBER IN KIGALI (RWANDA)

RADEMBINO-CONQUIET (Gabon), Co-President
DE SOUSA (Angola)
HUMPHREY (Barbados) (*)
DAYORI (Benin) (VP)
SEBETELA (Botswana)
TAPSIBA (Burkina Faso)
NZOMUKUNDA (Burundi)
DANATA (Cameroon) (VP)
DARBO (Chad)
BOUONOLOU (Congo, Republic of the)
GOYA KITENGA (Congo, Democratic Republic of the)
RASMUSSEN (Cook Islands)
AMON-AGO (Côte d’Ivoire)
ABDI SAID (Djibouti)
JIMENEZ (Dominican Republic)
NAIB (Eritrea)
TOGA (Ethiopia)
RATURAGA (Fiji) (*)
OBIANG NDONG (Gabon)
BAAH (Ghana) (VP)
SAOLMON (Guinea Equatorial)
RAMOTAR (Guyana)
SOREL (Haiti)
REID (Jamaica) (VP) (*)
KAHENDE (Kenya) (VP) (*)
MAFURA (Lesotho)
KOLLIE (Liberia)
ZAFILAZA (Madagascar)
MATOLA (Malawi)
IMBARCAOUNANE (Mali)
GUELAYE (Mauritania)
DEERPALSING (Mauritius)
SITOLE (Mozambique)
MUSHELENGA (Namibia)
ISSOUOU (Niger)
WAIZRI (Nigeria)
McCLAY (Niue) (*)
AIMO (Papua New Guinea)
POLISI (Rwanda)
THOMAS (Saint Kitts and Nevis) (*)
MARIE (Saint Lucia)
STRAKER (St Vincent and the Grenadines)
DIAGNE (Senegal)
WILLIAM (Seychelles) (VP)
LAHAI (Sierra Leone)
KINNOCK, Co-President
AGNOLETTO
ATTARD-MONTALTO (for FERREIRA) (*) (*) (*)
AUBERT (VP)
BATTILUCCHIO (for McAVAN) (*) (*)
BEREND
BERMAN (for ARIF)
BOWIS (VP)
CALLANAN
CARLOTTI (VP)
CASHMAN
CZARNECKI (for AYLWARD)
DEVA (*) (*) (*)
DILLEN (*) (*)
FERNANDES
GAHLER (VP) (*) (*) (*)
GOUVIN (VP) (*) (*) (*)
GRABOWSKA
GURMAI (*) (*)
HALL
HAUG
HUTCHINSON (for ROSATI)
IRUJO AMEZAGA
JÖNS
KACZMAREK
KLASS (for GAUBERT)
LEHIDEUX
LEINEN (for ZANI) (*) (*) (*)
LULLING (VP)
MALDEIKIS (for ZILE)
MANTOVANI (VP) (*) (*) (*)
MARTENS
MARTÍNEZ MARTÍNEZ (VP)
MITCHELL (VP)
MORGANTINI (for HOLM) (*)
NERSIS (for BULLMANN)
NOVAK
POLFER (VP) (*) (*)
POMÉS RUIZ (for COELHO) (*) (*)
ROITHOVÁ
SRARBATI
SCHMIDT F. (*) (*) (*)
SCHMIDT O.
SCHRÖDER
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(*) Country represented by a person other than a Member of Parliament.
(1) Present on 19 November 2007.
(2) Present on 20 November 2007.

Also present:

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BRADLEY

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ATIM-OGWAL
AMONGI
DOMBO

ZAMBIA  
MBEWE

ZIMBABWE  
CHAMISA
MUCHENGETI
MANDIZHA

ACP-EU COUNCIL

TELEFONI, Deputy Prime Minister responsible for Industry, Commerce, Labour and Tourism, President-in-office of the ACP Council (Samoa)

CRAVINHO, Secretary of State for Foreign Affairs, President-in-office of the EU Council (Portugal)

EUROPEAN COMMISSION

MICHEL, Member of the Commission with responsibility for Development and Humanitarian Aid
EESC
DEFAYE
DANTIN
COULIBALY
CSUPORT
SOMVILLE
MAKEKA

CTA
BURGUET
BOTO

ECOWAS
SOFOLA

ACP SECRETARIAT
KAPUTIN Co-Secretary-General

EU SECRETARIAT
NICKEL Co-Secretary-General
ANNEX III

ANNEX OF THE SITTING OF MONDAY, 19 NOVEMBER 2007

Accreditation of non-parliamentarian delegates

BARBADOS
Mr Errol HUMPHREY
Ambassador, Embassy of Barbados, Brussels

FIJI
Mrs Tupou RATURAGA
Counsellor, Embassy of Fiji, Brussels

JAMAICA
Mr Esmond REID
Minister Counsellor, Embassy of Jamaica, Brussels

KENYA
H.E. Mr Marx G.N. KAHENDE
Ambassador, Embassy of Kenya, Brussels

NIUE
H.E. Mr Todd McCLAY
Ambassador, Special representative of Niue, Brussels

SOLOMON ISLANDS
H.E. Mr Joseph MA’AHANUA
Ambassador, Embassy of Solomon Islands, Brussels

ST. KITTS & NEVIS
Dr Arnold THOMAS
Chargé d’Affaires
Embassy of St Kitts & Nevis, Brussels
ANNEX IV

RESOLUTIONS ADOPTED

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— on the impact of foreign direct investment (FDI) in the African, Caribbean and Pacific States (ACP-EU/100.126/07/fin.) 26

— on access to healthcare and medicines, with a particular focus on neglected diseases (ACP-EU/100.083/07/fin.) 29

— on natural disasters in ACP States: EU funding for preparedness (EDF funds) and relief (ECHO funds) (ACP-EU/100.173/07/fin.) 35

— on the situation in the Democratic Republic of Congo, particularly in the East, and its impact on the region (ACP-EU/100.174/07/fin.) 40

RESOLUTION (1)

on elections and electoral processes in ACP and EU countries

The ACP-EU Joint Parliamentary Assembly,

— meeting in Kigali (Rwanda) from 19 to 22 November 2007,

— 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 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 (the ‘Cotonou Agreement’) (2), and amended in Luxembourg on 25 June 2005 (3), and in particular Articles 8, 17(2), 20, 31, 33, 96 and 97 thereof,

— emphasising that a ‘political environment guaranteeing peace, security and stability, respect for human rights, democratic principles and the rule of law, and good governance is part and parcel of long-term development’ (Cotonou Agreement, Preamble),

— emphasising that, according to Article 9 of the ACP-EU Partnership Agreement, ‘respect for all human rights and fundamental freedoms, including respect for fundamental civil rights, democracy based on the rule of law and transparent and accountable governance are an integral part of sustainable development’,

— emphasising that, according to Article 11 of the ACP-EU Partnership Agreement, parties must ‘pursue an active, comprehensive and integrated policy of peace-building, conflict prevention and resolution’, based on the principle of ownership, and this must in particular focus on building regional capacities,

— having regard to its resolution on the ACP-EU political dialogue (Article 8 of the Cotonou Agreement), adopted at its 8th session in The Hague on 23 November 2004,

— having regard to its resolution on post-conflict rehabilitation in ACP States, adopted at its 9th session in Bamako on 21 April 2005,

— having regard to its resolution on the role of national parliaments in implementing the Cotonou Partnership Agreement, adopted at its 10th session in Edinburgh on 24 November 2005,

(1) Adopted by the ACP-EU Joint Parliamentary Assembly on 22 November 2007 in Kigali (Rwanda).
— having regard to its resolution on the role of regional integration in the promotion of peace and security, adopted at its 11th session in Vienna on 22 June 2006,

— having regard to the resolution on ACP-EU cooperation and involvement in electoral processes in ACP States and the role of the Joint Assembly (ACP-EU 2748/99/fin),

— having regard to the communication from the Commission to the Council and the European Parliament entitled 'EU election assistance and observation' (COM(2000) 0191),

— having regard to the European Parliament resolution of 25 April 2002 on the communication from the Commission to the Council and the European Parliament on the European Union’s role in promoting human rights and democratisation in third countries (1),

— having regard to the European Parliament resolution of 15 March 2001 on the Commission communication on EU Election Assistance and Observation (2),

— having regard to the European Parliament resolutions of 31 March 2004 on governance in the European Union’s development policy (3) and of 6 April 2006 on aid effectiveness and corruption in developing countries (4),


— having regard to the UN Charter, the Constitutive Act of the African Union, the Universal Declaration of Human Rights and all relevant international and regional legal instruments,

— having regard to the New Partnership for African Development (NEPAD), which has established a mechanism for reviewing the performances of African governments in all sectors through the Africa Peer Review Mechanism (APRM),

— having regard to the UN and other international legal instruments calling for deliberate, immediate and sustainable affirmative action mechanisms for redressing imbalances created by history, tradition or customs which exclude women from participating in the public sphere,

— having regard to Article 21(3) of the Universal Declaration of Human Rights and to the OSCE Commitments agreed upon in Copenhagen in 1990,

— having regard to the Charter of Fundamental Rights of the European Union proclaimed in Nice on 7 December 2000,

— having regard to the proposal for a Council regulation establishing a European Union Agency for Fundamental Rights,

— having regard to all the agreements between the European Union and third countries,

— having regard to the report by the Committee on Political Affairs (ACP-EU 100.123/07/fin.),

A. whereas developing and consolidating democracy and the rule of law, and respect for human rights and fundamental freedoms, constitute a global objective of the common foreign and security policy (CFSP) and are an integral part of the European Union’s external policy,

B. whereas efforts to promote respect for human rights and democracy as fundamental objectives of EU external relations policies will fail if the inherent principles are not given sufficient priority with regard to security-related, economic and political interests,

(1) OJ C 131E, 5.6.2003, p. 147.
C. whereas reducing poverty, the main objective of the Union’s development policy, requires the existence of genuine participatory democracy and responsible, corruption-free governments,

D. whereas the Joint Parliamentary Assembly, representing as it does the people of ACP and EU States, is a key component of ACP-EU relations and can make an essential contribution to deepening the political dimension of future ACP-EU cooperation,

E. whereas the Cotonou Agreement gives a mandate to the ACP-EU Joint Parliamentary Assembly to promote democratic processes through dialogue and consultation,

F. whereas the ACP-EU Joint Parliamentary Assembly is a unique forum for dialogue between ACP and EU parliamentarians, particularly on human rights and democracy issues,

G. whereas democracy at the political level implies far more than the mere act of periodically casting a vote, and covers the entire process of participation by citizens in the decision-making process,

H. whereas the right for citizens to take part in the conduct of public affairs may be achieved through a wide range of democratic political mechanisms,

I. mindful of the need to strengthen the capabilities of the parliaments of developing countries to enable them to exercise effectively their powers of executive scrutiny and budgetary authority,

J. recognising that the participation of non-state actors and civil society is vital in the functioning of democracy, and recognising the role that churches and religious communities or organisations, traditional community leaders and civil society, in the form of national NGOs and fora, could play in promoting peace or providing mediation by creating opportunities to debate and settle differences,

K. considering that freedom of the media is one of the essential elements of democratic elections, as citizens have the right to be informed about different political views, meaning that all democratic political forces and election candidates must have free access to the media,

L. whereas the Universal Declaration of Human Rights states that the right to elect freely chosen representatives in secret, periodically held, and genuine elections, on the basis of universal and equal suffrage, is one which all citizens should enjoy and is an essential element of democracy and the rule of law, to which the European Union and ACP States are committed under their various legal obligations,

M. whereas the European Union should play a key role in supporting ACP States, in upholding human rights and democracy, encouraging the promotion of these rights through its external action and responding swiftly and effectively in the event of serious and persistent human rights violations,

N. whereas equality between men and women and women’s participation in the decision-making process, at both legislative and executive level, are essential elements of good governance,

O. whereas the universality, individuality and indivisibility of human rights, meaning not only civil and political rights, but also economic, social and cultural rights, must be guaranteed and promoted,

P. whereas political pluralism, freedom of expression, equal access to the media during the campaign, secret ballots and respect for the basic rights of candidates are essential elements of democratic, free and fair elections,
Q. recognising that the election process is crucial in determining the extent to which the key tenets of political pluralism are respected, which means that states must organise elections in accordance with internationally and regionally recognised standards,

R. whereas election observation and election assistance are key elements of the EU's global strategy on respect for human rights, the strengthening of democracy and the rule of law and the promotion of development in its relations with developing countries,

S. whereas the promotion of democracy through the electoral process has to be based on prior observation of the political environment of the country in question and scrutiny of elections must be part of a continuous process of observations and support to democratisation,

T. whereas the scrutiny of elections, particularly by democratically elected members of parliament, is vital for strengthening the legitimacy of the electoral process, increasing public confidence in the elections, avoiding electoral fraud, better protecting human rights and contributing to conflict resolution,

U. whereas evenly constituted ACP-EU election observation delegations and missions can make an important contribution to easing critical situations in the countries in question,

V. whereas the European Parliament ought to assume a prominent role in the EU's scrutiny of elections, given its democratic legitimacy and specific expertise, and whereas its doing so raises the political profile of such missions,

W. deeply concerned by the fact that many unstable ACP States in transit from conflict to democracy with limited institutional capacity to conduct free, fair and safe elections can easily slide back into conflict, if not supported by election peacekeepers to safeguard elections and electoral processes,

X. further concerned by the fact that the presence of armed security forces outside polling stations, the proliferation of small arms and light weapons and militarisation of citizens in a number of ACP States increase the risk of intimidation, harassment and outbreaks of violence during elections, thereby making it difficult for many people to cast their votes,

Y. whereas the participation of women, as actors in the democratic process, in decision-making in the context of ACP-EU cooperation is unsatisfactory, which calls for special measures to redress this imbalance,

Z. aware that ACP and EU States like Rwanda, Sweden, South Africa, Uganda and others that have attained 30 % representation of women in national parliaments have done so through institutionalising different forms of affirmative action in favour of women,

AA. convinced that there is a dire need to institutionalise civic education, training and public awareness for candidates, voters and election personnel,

AB. whereas there is a need for national governments to establish public funding for political parties so as to avoid their dependence on external influence, and to prevent those parties from becoming dependent on external sources which can exert influence in favour of their specific interest in such countries and encourage corruption,

AC. recognising that building and supporting institutional frameworks to promote democracy, good governance, peace and security, accountability and human rights are key to enhancing free and fair elections and electoral processes,

AD. noting that in a number of ACP States opposition parties are prevented in different ways from operating freely in recruiting members and in exercising their rights of freedom of assembly, association and expression,
Democratic principles and practice

1. Calls on all states to recognise the importance of free elections conducted by secret ballot and on the basis of universal suffrage as one of the tenets for guaranteeing democracy and to understand that free and fair elections and legitimate national institutions are a prerequisite for democracy;

2. Affirms that there are universal democratic principles and standards contained in international and regional legal instruments which must be a guiding principle for states to conform to while establishing democratic institutions and frameworks;

3. Urges incumbent governments to ensure fair competition between political parties and groups so that elections may meet international standards; stresses the need to avoid any late modification of the electoral system such as changing the process or cutting voters from the list;

4. Calls on states to employ a political system — whether plurality/majority, proportional representation or mixed — that reflects their historical and cultural environment and which addresses the fundamental principles of participation by all citizens in democratic governance;

5. Calls on states to employ an electoral management structure based on an independent model that recognises historical and cultural development of the state in question and can ensure free and fair elections; stresses that electoral management bodies must be free of government bias and employ independent and neutral officials;

6. Stresses that, on the one hand, measures to prevent the fraudulent exercise of the right to vote and electoral fraud, and, on the other, the organisation, on the basis of a reasonable level of administrative work, of the simplest, clearest and most straightforward possible procedure guaranteeing the inclusion of every person eligible to vote on the electoral roll are central to any election preparation process;

7. Stresses that, on the one hand, measures to ensure that people do not face obstacles or repression when casting their votes, and, on the other, the requirement to ensure that the count is not manipulated in any way and that the process of determining the result is transparent and publicly accessible at all stages are central to the electoral process;

8. Stresses that measures taken by public authorities or by third parties in a deliberate attempt to influence the preparation, conduct or aftermath of an election or to falsify its results must give rise to appropriate criminal law penalties;

9. Urges all states to further strengthen the role of women in the political arena, as voters and as candidates, through voluntary or constitutional gender quotas and incentives for women to become candidates;

10. Urges governments to establish a legal regime that allows for an independent, free and balanced media by ensuring that the state does not have a monopolistic or dominant position and by encouraging a wide-ranging private media that is not dominated by one group or individual;

11. Calls on the political authorities to provide objective information about elections, e.g. on the registration procedure, electoral systems, the opening times of the polling stations and the competing parties or candidates, through the mass media, in particular on television and above all on the radio, because even people who are illiterate, and inhabitants of remote areas, can be reached by radio; considers that it is also important for this information to be broadcast in local and regional languages;

12. Calls on all governments to recognise international standards of human rights, in particular those related to freedom of expression and assembly and to promoting the rights of the opposition to participate meaningfully in election processes;
13. Urges all states to provide for equal treatment and political equality of citizens (specifically those groups which are traditionally marginalised or a minority) and to provide fully comprehensive and universal election-related training;

14. Urges all states to establish legal mechanisms to protect the effective participation of the opposition allowing them freedom to mobilise and promote their alternative policies in order to foster political competition;

**Democracy and good governance**

15. Urges ACP and EU States to put in place national policies based on respect of values, principles and standards of democracy and human rights and aimed at building the rule of law, ensuring the transparency of electoral processes, strengthening the efficiency of legal and security services and combating discriminatory policies of exclusion and violence during elections;

16. Calls on ACP and EU States to mainstream gender into national policies through introducing legislative provisions to entrench affirmative action (quotas) in favour of women and to ensure that such affirmative action mechanisms are capable of ensuring a minimum of 30% representation of women in decision-making positions;

17. Calls on states to ensure that laws on political parties address the essence of equal inclusion of women in party election lists and also promote internal democracy within such parties by laying down clear requirements, and to ensure that women with limited material resources receive special support for their electoral campaigns so that they can compete on equal terms with their generally better-off male opponents;

18. Encourages states to establish a constitutionally independent electoral body which is not subject to direction and control by any authority, to be responsible for: organising, conducting and supervising elections; demarcation of constituencies; compiling, maintaining, revising and updating the electoral register; hearing and determining election complaints arising before and during polling and formulating and conducting voter education programmes relating to elections, among other functions;

19. Calls on ACP States to impose stiff penalties for the misuse of campaign funds, the unfair use of electoral pledges and gifts with the aim of substantially influencing an election, the buying of votes, threatening violence against people intending to vote for an opposing candidate and electoral fraud;

20. Calls on ACP States to establish a national framework for funding all political parties based on proportional party representation in the national assembly as is practised in South Africa, Namibia and the Seychelles, and encourages ACP States to ban external funding of political parties;

**Importance of the Electoral Cycle**

21. Stresses that an election cannot be successful without sufficient care for all three stages of the electoral process — the pre-election period, the election period and the post-election period — as each is crucial in its own way and must be recognised as such;

22. Urges all states to engage in full preparation for elections through an electoral management body that enhances freedom of expression as well as freedom for parties to mobilise and recruit members;

23. Calls for the registration of voters in a manner that is transparent, engages all citizens and provides for large-scale voter education; and calls for the voting list to be ready in due time so that all citizens are aware of their registration and that there is sufficient time to contest before citizens place their vote;
24. Calls on electoral management bodies to do all in their power to ensure a fair and safe election day, through full accessibility to polling stations and transparent counting and tabulation of results;

25. Urges candidates and parties to do all in their power to prevent election violence and intimidation;

26. Stresses the need for election observers to follow the Code of Conduct for International Election Observation (signed at the UN in October 2005) and for their recommendations to be strongly considered by states which invite observation;

27. Calls on all states to introduce rules to make the electoral process as transparent as possible, and to promote and support the participation of neutral domestic observers from civil society organisations who are authorised by means of an accreditation procedure, have access to all polling stations, are present throughout voting, from the opening of the polling stations until the end of the counts, and give an assessment of the procedure, in which connection they must give an undertaking of strict political neutrality;

28. Calls on the ACP States also to allow accredited party representatives free access to polling stations, from when they open until they close and during the count, such representatives being required to act with the utmost impartiality and not to campaign on behalf of their parties; endorses the view that critical observation by competing political forces substantially reduces the risk of abuse and fraud;

29. Stresses the need to appoint election observers from the JPA on the basis of equal ACP and EU representation and to send them to all ACP States in which the European Union is supporting the democratic process, and emphasises the importance of sending these election observation delegations on a decentralised basis to various cities and regions in order to obtain as detailed a picture as possible of what is happening;

30. Considers it imperative for election observers to be given a briefing on the country in question and on its political and social situation and to travel in good time so as to be able to learn about the country on the spot and to get to know the area for which they are responsible, and only to leave it when the outcome of the election is foreseeable; only then is it possible to give a reliable assessment;

31. Urges that all national electoral law allow for redress and complaints over elections to be addressed by effective mechanisms through an independent judiciary and to recognise the importance of the post-election period;

32. Calls for post-electoral support to be provided to a government resulting from legitimate elections that meet international and regional standards and for a strong line to be taken against governments which are not the result of free and fair elections;

33. Calls on the international community of donors and in particular the European Commission to organise post-electoral support to strengthen the newly elected democratic institutions, civil society organisations, and non-state actors (NSAs) in particular to monitor the implementation of democracy in the country;

Peace and security

34. Calls on ACP and EU States to ensure that disarmament, demobilisation and reintegration of ex-combatants and militias is a top priority in all post-conflict reconstruction programmes to ensure that the period leading to democratic reforms for the holding of an election is safe and free from violence;

35. Calls on states, and ACP and EU States in particular, to support and strengthen the implementation and monitoring of the Nairobi Protocol on Small Arms and Light Weapons in order to ensure that they do not turn into weapons used to intimidate opponents and voters during the election period;
36. Urges ACP and EU States to establish mechanisms to ensure that states emerging from conflict, like the Democratic Republic of Congo, Rwanda, Sierra Leone, Liberia etc., are supported through the deployment of peacekeeping personnel during the run-up to elections and after, to consolidate peace and security while democratic reforms are being effected in such countries;

ACP-EU partnership

37. Calls on the EU to create a focal point from which to coordinate support for democratisation and election assistance/observation; urges the EU to speak with one voice regarding democratic and election-related issues;

38. Recommends that all three EU institutions have jointly-defined and complementary roles, in the field of democracy and election assistance/observation, that may maximise the efficiency and capacity of the EU;

39. Recognises the importance of democracy in the prevention of violent conflict and the success of long-term economic development;

40. Recognises the work done by the European Commission in the election observation process, underlines the important role played by MEPs in the EU’s election observation delegations and expresses its will to continue the good cooperation already established;

41. Stresses the importance of a clear coherence in EC policy regarding the electoral process with continuity and harmonisation of election observation and assistance to ensure respect for the electoral cycle;

42. Calls on EU and ACP States to work together and increase cooperation in the field of democratic development and electoral processes; recommends more ACP-EU joint missions, especially in the field of democratisation;

43. Urges EU and ACP States to support collaboration with other international organisations, NSAs, non-governmental organisations, civil society, local authorities, and grassroots movements in order to improve or solidify support for democratic governance;

44. Calls on states to engage in capacity building and training for electoral and parliamentary administrators as well as to support and strengthen political parties;

45. Calls for equal access to vote and civil/political rights of disadvantaged and marginalised groups, such as disabled people, ethnic and other minorities and displaced people, to be respected and guaranteed;

Role of Civil Society

46. Recommends high-level training initiatives, directed at civil society, national parliaments, the Pan-African Parliament (PAP) and electoral administration staff, which must be carried out well in advance, on a permanent basis and not just before the election period;

47. Urges states to support a sustainable approach to enhance the domestic capacity to administer electoral processes and consolidate democratisation;

48. Urges states to observe electoral processes whenever the conditions exist for holding democratic elections and the countries concerned ask for such an observation as a means of ensuring their free and fair character and to promote electoral assistance initiatives through better planning and implementation of activities;

49. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council of Ministers, the Commission of the African Union, the Pan-African Parliament and national and regional parliaments, the European Commission, the Council Presidency and the African Union.
RESOLUTION (*)

on the impact of foreign direct investment (FDI) in the African, Caribbean and Pacific States

The ACP-EU Joint Parliamentary Assembly,

— meeting in Kigali (Rwanda) from 19 to 22 November 2007,

— having regard to Article 17(1) of its Rules of Procedure,

— having regard to the objectives of the ACP-EU Partnership Agreement (2) signed in Cotonou on 23 June 2000 in the area of investment and private sector development support, and trade,


— having regard to the United Nations Industrial Development Organisation (UNIDO) Africa Foreign Investor Survey reports for 2005 and 2006,

— having regard to its Cape Town Declaration of 21 March 2002 on future negotiations of new trading arrangements,

— having regard to the UN Declaration (2000) on the Millennium Development Goals (MDGs) and the commitment to eliminate poverty,

— having regard to the commitments of the international community made at the United Nations Conference on Finance for Development (Monterrey, 2002), in particular on mobilising international resources and enhancing the net flow of financial resources and technical cooperation for development, inter alia to achieve the MDGs,

— having regard to the report of its Committee on Economic Development, Finance and Trade (ACP-EU/100.126/07/fin.),

A. whereas FDI plays an important role in the development process of host countries, in particular by providing both the capital and technology, and thereby bringing skills, know-how and market access that contributes to improved efficiency in the use of resources and to increased productivity,

B. whereas the flow of private capital to developing countries has been increasing in recent years, being of growing importance as a source of financing comparable to official development assistance (ODA),

C. whereas FDI enhances growth by incorporating new inputs and technologies into the production process of the host country and can enhance supply capacities in ACP States and contribute to building a dynamic investment-export nexus that could help these countries achieve their economic growth and development objectives, including the MDGs,

D. believing that FDI can play an important role in the transformation of African economies, but that the impact depends on both quality and quantity; stressing that the challenge for EU-Africa relations is to think critically about how to attract and regulate the type of FDI that will support equitable growth, creating employment and supporting and upgrading local industry,

E. aware of the barriers to FDI flows that vary greatly across ACP regions and within regions, including, inter alia, basic issues of governance, the legal framework and corporate climate, the strength of institutions, the degree of financial intermediation, and location factors such as transport and infrastructure, education, availability of skilled labour and health,

(*) Adopted by the ACP-EU Joint Parliamentary Assembly on 22 November 2007 in Kigali (Rwanda).
F. whereas most ACP economies have put in place legislation offering a wide range of guarantees and opportunities for foreign investors, including reduced restrictions on the ownership of land and real estate, and foreign exchange restrictions, thereby guaranteeing foreign investors a right to repatriate capital and profits,

G. whereas many ACP economies have enacted legislation allowing foreign investors to participate in privatisation programmes and offer generous tax incentives,

H. whereas ACP countries have concluded 210 bilateral investment treaties (BITs) with EU Member States and are increasingly also doing so with other developing countries,

I. whereas availability of additional financial resources, including greater inflows of FDI and trading opportunities, is of considerable importance to economic and social stability and sustainable development in ACP countries,

Significance of FDI

1. Considers that, in the face of inadequate resources to finance long-term development and with the MDGs looking increasingly difficult to achieve by 2015, attracting FDI has assumed a prominent place in economic renewal strategies;

2. Underlines the need for support to ACP countries in attracting greater flows of FDI and transfer of appropriate technology in order to enhance their development and competitiveness;

3. Considers that policies to attract FDI should be revisited and the cost-benefit perspective must be seriously taken into account, including environmental degradation, as well as social problems and the contribution to the sustainable development objectives of the national economy;

Corporate environment

4. Reaffirms the primary responsibility of the ACP countries for their development and the crucial importance of national ownership of the development effort, including sustained macroeconomic stability and the business environment;

5. Stresses the critical importance of location factors, such as economic and social infrastructure, business climate, local market conditions, resource availability, pro-active investment promotion initiatives and asset availability, in influencing the decisions to invest in a host country;

6. Welcomes the greater attention given to strengthening governance and transparency, with the aim of ensuring that benefits reach the poor;

7. Stresses that many ACP countries still require a big push in public investment to overcome the region’s high transport costs, generally small markets, low-productivity agriculture, adverse agroclimatic conditions, high disease burden and slow diffusion of technology from abroad;

Promoting European FDI

8. Recognises that host-country drivers — the pull factors — and regional cooperation can bring greater financial stability, better policy coordination, improved infrastructure planning and a more dynamic pattern of industrial development, that can contribute to a more favourable investment climate for domestic and foreign firms alike;

9. Calls on ACP countries to deepen progressively their respective regional integration initiatives and division of labour;

10. Underlines the critical importance of home-country drivers — the push factors — which includes, inter alia, market and trade conditions, business conditions and home government policies;
11. Calls on the EU Member States and the European Commission to maintain a high standard of monitoring and auditing of European transnational companies (TNCs), particularly in sensitive sectors, holding them accountable to higher standards of corporate responsibility, sharing information gathered with host-country policy makers, and designing disciplinary measures and compensation schemes where there is clear evidence of damage to the host economy;

12. Calls on the EU Member States to agree on a collective framework for the marketing of investment opportunities in the ACP countries, in addition to encouraging the extension of bilateral investment treaties (BITs) beyond the current concentration on Germany, the United Kingdom, Belgium, France and the Netherlands;

13. Calls on the EU Member States to urgently agree on a collective framework of innovative investment promotion measures including, inter alia, providing tangible financial and other incentives to their enterprises and institutions to transfer technology to ACP countries, and providing tax credits to companies investing in ACP countries; stresses, however, that this cannot be a substitute for development finance, and better, more predictable ODA;

14. Stresses the need to analyse how FDI links in with local investment and the need for a structured discussion on how to promote linkages between TNCs and local firms, including the need to foster public/private dialogue to remove the main investment barriers;

15. Is concerned at the lack of information on the national and regional implications of including investment provisions in EPAs;

16. Asks the European Commission to inform it once a year about the share of FDI originating in the EU compared to FDI from other parts of the world;

Use of Cotonou Agreement instruments to promote FDI

17. Urges the European Investment Bank to strengthen and improve the performance of the Investment Facility to make the instrument a viable resource for the private sector in ACP countries;

18. Urges the Parties to the Cotonou Agreement to assign the Investment Facility an investment promotion mandate, in particular by making this facility an instrument for promoting joint ventures in addition to its current mandate;

19. Urges the European Commission and the Parties to the Cotonou Agreement to establish, within the 10th EDF, an adequately financed ACP investment guarantee agency, as stipulated in Article 77(4) of the Cotonou Agreement;

20. Underlines the urgent need to redefine the role and mandate of the joint ACP-EU institutions — the Centre for Development of Enterprises and the Technical Centre for Agriculture and Rural Cooperation — with a view to entrusting them with targeted pro-investment promotion mandates with commensurate additional financing;

21. Calls on the European Commission and the EU Member States to increase the level of financial and technical support to ACP national and regional investment promotion agencies (IPAs), including giving them an explicit ‘outward investment’ mandate;

22. Underlines the need to address, especially in the framework of ACP-EU cooperation, the structural deficits faced by ACP countries in attracting and retaining FDI inflows; urges all Parties to the Cotonou Agreement to place special emphasis on resource mobilisation for infrastructure development, social and economic investments and good governance;

23. Underlines the need to ensure that the expected increase in FDI inflows into ACP States, particularly in natural resources, creates a balanced development impact through appropriate policies and institutions; calls on ACP States to fulfil their development commitments in this regard and on the international community to support this process;

24. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the World Bank, the European Investment Bank and the African Development Bank.
RESOLUTION (1)

on access to healthcare and medicines, with a particular focus on neglected diseases

The Joint Parliamentary Assembly,

— meeting in Kigali (Rwanda) from 19 to 22 November 2007,
— having regard to Article 17(1) of its Rules of Procedure,
— having regard to Articles 177-181a of the Treaty establishing the European Community,
— having regard to the European Union (EU) common objectives as defined in ‘The European Consensus on Development’ (2),
— having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific 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 (the ‘Cotonou Agreement’) (3), as amended in Luxembourg on 25 June 2005 (4),
— having regard to the Commission Communication entitled ‘Speeding up progress towards the Millennium Development Goals (MDGs) — The European Union’s contribution’ (5),
— having regard to the increasing role of public-private partnerships in the provision of global public goods, as defined in the Commission Communication entitled ‘Health and Poverty Reduction in Developing Countries’ (6),
— having regard to the Commission Communication entitled ‘EU Strategy for Action on the Crisis in Human Resources for Health in Developing Countries’ (7),
— having regard to the resolution of the Fifty-Ninth World Health Assembly (WHA) on ‘Public health, innovation, essential health research and intellectual property rights: towards a global strategy and plan of action’ (9) of 27 May 2006,
— having regard to the European and Developing Countries Clinical Trials Partnership (EDCTP),
— having regard to the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013) (10), adopted on 18 December 2006,
— having regard to its resolution of 19 February 2004 on poverty diseases and reproductive health in ACP States, in the context of the 9th EDF (ACP-EU 3640/04/fin.) (11),
— having regard to its resolution of 25 November 2004 on food aid and food security (ACP-EU 3692/04/fin.) (12),
— having regard to the European Parliament resolution of 8 September 2005 on major and neglected diseases in developing countries (13),
— having regard to the report of its Committee on Social Affairs and the Environment (ACP-EU/100.083/07/fin.),

(1) Adopted by the ACP-EU Joint Parliamentary Assembly on 22 November 2007 in Kigali (Rwanda).
(2) The European Consensus on Development, Part I, Section 1, OJ C 46, 24.2.2006.
(8) http://www.who.int/whr/2006/whr06_en.pdf
(11) OJ C 120, 30.4.2004, p. 29.
(12) OJ C 80, 1.4.2005, p. 23.
A. whereas health is a basic right and a prerequisite for development and economic prosperity, and thus access to health services and medicines should be at the heart of development policies,

B. whereas access to healthcare is a global security and human rights issue since the emergence and resurgence of communicable diseases can cause widespread poverty, disability, morbidity and instability and spread rapidly throughout the world,

C. whereas there has been inadequate progress in achieving the MDGs by their target date of 2015, highlighting the need for greater commitment to achieving them,

D. whereas 27 000 people die every day due to a lack of access to essential medicines,

E. whereas 25 % of the 10 million child deaths each year are caused by diseases that can be prevented with vaccines,

F. whereas each year more than 28 million children miss out on immunisation during their first year of life,

G. whereas in addition to the burden of the three major killer diseases, HIV/AIDS, malaria and tuberculosis (TB), there are a range of many other diseases which together affect an estimated 1 billion people — a sixth of the world’s population,

H. whereas these neglected diseases include African trypanosomiasis (sleeping sickness), Buruli ulcer, Chagas’ disease, dengue, gastrointestinal helminths, infantile diarrhoea, leishmaniasis (Kala Azar), leprosy, lymphatic filariasis (elephantiasis), onchocerciasis (river blindness), schistosomiasis (snail fever), trachoma, as well as diabetes, mental illnesses and epilepsy,

I. whereas, because of the limitations of existing therapies, neglected diseases cause a huge burden of disability and poverty, but receive comparatively little research funding, inter alia at EU level,

J. whereas research for drug development is mainly for medicines that sell in the developed countries and for diseases that face the developed world,

K. whereas there is a need for more ‘translational’ research and development which carries forward the scientific knowledge and basic research into clinical trials and registrations of new products,

L. whereas TB/HIV co-infection is a major threat, yet only 0,5 % of HIV patients are tested for TB and 7 % of TB patients are tested for HIV, showing the need for greater financial support and resources and greater collaboration between disease-specific programmes and services,

M. whereas multi-drug resistant TB (MDR-TB) is very difficult to diagnose and treat,

N. whereas counterfeit medicines account for 6-10 % of the world market and 25 % of medicines consumed in Africa are believed to be counterfeit,

O. whereas prevention is the most effective way to fight sexually transmitted diseases, and access to family planning and maternal and reproductive health information and services plays an important role in poverty reduction and the fight against HIV/AIDS, and vice versa,
P. whereas there is a global shortage of an estimated 4.3 million health professionals, including a deficit of 2.4 million doctors, nurses and midwives in 57 of the world's poorest countries, a problem exacerbated in rural areas,

Q. whereas greater access for young girls to education and a higher proportion of female health workers are two factors encouraging women to make use of health services,

R. whereas aid has often been too short-term and unpredictable to support the long-term recurrent costs of the health sector, can be complex due to the large numbers of international organisations involved, and is not always aligned to governments' priorities and capacity-building efforts,

S. whereas International Monetary Fund (IMF) and World Bank policies sometimes present massive obstacles for poor countries by imposing over-rigid rules on public spending incompatible with achieving the MDGs on health, water and sanitation,

Health Focus

1. Urges ACP countries to allocate 15 % of annual public expenditure on health (Abuja Declaration (1)) and the EU to meet the European Parliament's target of spending 20 % of financial aid commitments on health and education;

2. Stresses that the Member States must keep their promise to give 0.7 % of their national income as foreign aid and to ensure that such aid is coordinated, predictable and long-term;

3. Calls on the EU, the IMF and the World Bank not to impose over-rigid rules on public spending and not to promote the pursuit of inappropriate market reforms of public services through aid conditions, technical advice and trade agreements;

4. Believes that health must be much more prominent in Country Strategy Papers (for the 10th European Development Fund), Poverty Reduction Strategy Papers and Medium-Term Expenditure Frameworks, including their budgets, and that they should ensure that the analysis that informs them influences the focus of work in the health sector;

5. Stresses the importance of national political leadership and accountability and calls on the ACP governments and the Commission to ensure that civil society and affected and marginalised communities are involved in policy formulation and implementation;

6. Argues that aid commitments should reflect the overall health status and outcomes of countries, and not merely HIV/AIDS, TB and malaria;

7. Supports the recommendation of the World Health Report 2006 to devote 50 % of international development assistance earmarked for health to strengthening health systems, and that the remaining 50 % of this funding be dedicated to strengthening workforces;

8. Supports the need to strengthen health systems in ACP countries through approaches such as improving access to essential and generic drugs, reducing bureaucracy by streamlined management, increasing cost-effectiveness, improving efficiency through reorganised services and decentralised health systems, and allocating resources to better address the needs of the population;

(1) Abiya Declaration on HIV/AIDS, Tuberculosis and other related Infectious Diseases, adopted on 27 April 2001.
9. Supports all interventions aimed at increasing access to essential medicines, particularly for the poor and vulnerable communities in ACP countries;

10. Encourages the establishment and strengthening of national health regulatory frameworks and quality insurance systems as a means of streamlining the planning and supervision of the activities of public and private providers of health service medicines;

11. Emphasises that Public-Private Partnerships, Public Development Partnerships, and North-South and South-South Partnerships can play a positive role in strengthening the health sector, especially in underdeveloped and developing countries;

Prevention

12. Stresses that prevention of illness should be at the core of government policies, through vaccination campaigns, food security (nutrition) and the provision of clean drinking water and good sanitation, tobacco and alcohol control programmes, as well as hygiene, safe sex, promotion of healthy lifestyles and other education campaigns;

13. Emphasises that information and vaccines are the most cost-effective way to prevent and control infectious diseases and that there is significant scope in developing countries for more extensive coverage with existing vaccines, for the introduction of new and under-used vaccines and for superior vaccine design appropriate for developing countries;

14. Calls for preventative measures, including extended coverage of long-lasting insecticide-treated anti-malaria nets, the removal of sources of stagnant water, training in recognising symptoms, TB testing of HIV patients and vice versa, and sexual/reproductive health and HIV/AIDS programmes, with related supplies;

15. Encourages pharmaceutical companies engaged in efforts to increase access to essential and affordable medicines in ACP countries, particularly targeting neglected diseases;

Capacity and Infrastructure

16. Believes that health infrastructure and logistics chains are the key to improving healthcare outcomes, including personnel, clinics and hospitals, and supply and distribution channels of medicines and vaccines;

17. Calls for renewed efforts to restore, build and reinforce health systems, through increased annual budgets and with EU assistance, in order to improve access to quality services, diagnostics, vaccines and medicines, especially for poor and at-risk groups;

18. Welcomes the efforts of global health partnerships such as the Global Alliance for Vaccines and Immunisation (GAVI) and the Global Fund to Fight AIDS, Tuberculosis and Malaria (GFATM) to support the strengthening of health systems in developing countries;

19. Calls for initiatives to provide accelerated local access to appropriate diagnostics, safe, accessible and sufficient medicines, safe blood collection methods and secure blood supplies, with associated training, technical assistance and infrastructure, inter alia in rural areas, and stresses the importance of ensuring that all immunisation programmes prevent the re-use of medical technology;

20. Notes that the collection of reliable data and monitoring of key health parameters allow the development of evidence-based policies that can be more effective;

21. Supports the work of the WHO Prequalification Programme for assessing and procuring new essential medicines and strengthening capacity-building;
22. Welcomes the Commission’s Communication on an EU Strategy for Action on the Crisis in Human Resources for Health in Developing Countries and calls for measures to be strengthened in this area; reiterates the need to develop better working conditions, training and career opportunities for medical staff, as well as retention incentives, twinning arrangements and exchange programmes;

23. Urges ACP governments to make society more equitable by pursuing gender equity in health and education as well as employment status and to strengthen women’s social status and autonomy, focusing on women and girls in the development of human resources and in career opportunities in the health sector;

24. Encourages the EU to develop and implement an EU Code of Conduct for ethical recruitment of health workers and to support a global code with a view to preventing the ‘brain drain’ from developing countries to developed countries; believes that EU and international assistance should ensure long-term financing of human resources as a health system investment;

25. Believes that investment in water supply, sanitation and infrastructure, as well as raising awareness of the links between health, clean water, sanitation and hygiene, are critical to combating waterborne diseases and to the delivery of healthcare systems;

**Research and Development**

26. Welcomes the adoption of the WHA resolution on public health, innovation, essential health research and intellectual property rights, which paves the way for defining health research needs and priorities for developing countries;

27. Welcomes the inclusion of neglected diseases and the emphasis on translational research in the EU’s Seventh Framework Programme for research; asks the Commission to support institutes willing to cooperate with public health initiatives aimed at these sectors and to guarantee that new medicines resulting from public-financed research will remain accessible to all;

28. Points out that this increased political commitment at the EU and international levels must now be matched by long-term financial support and greater cooperation between partner countries, academia and industry to obtain results in developing new diagnostic tools and safe, effective drugs;

29. Recognises the role of the EDCTP in organising clinical trials for new medicines and vaccines suited to the local clinical, ethical and social conditions of disease-endemic countries, and calls for the activities of the EDCTP to be broadened to include other neglected diseases and other phases of clinical development (Phases I and IV);

30. Calls for more gender-specific clinical trials of medicines; stresses the need to increase awareness among medical researchers of the different lifestyles and living conditions of women and men so that this is taken into account in the development of new medicines and vaccines;

31. Advocates strengthening local research, clinical trials and production capacities, including development of regional and national generic pharmaceutical-producing industries in affected areas and development of integrated projects, from the identification of new illnesses to the development and manufacture of new medicines, and calls for research that includes operational and health systems research aimed at more effective implementation of interventions and taking account of cultural issues of prescription, use, access, affordability and distribution of medicines;

32. Calls for the promotion of a range of measures to improve access to and affordability of medicines, including tiered prices, donations and discounts, innovation prizes, tax credits, incentives, advance purchase commitments and advance market commitments for vaccines, whereby a specific commitment is given by donors to subsidise the purchase of vaccines that meet pre-agreed standards, as well as transfer of manufacturing technology and expertise to disease-endemic countries;
33. Welcomes innovative approaches such as Advance Market Commitments to accelerate the development and scale up production of medicines and vaccines for the developing world;

34. Believes that the review and registration of drugs should be relevant to the priorities of disease-endemic countries, with specific procedures for better assessment of the risk-benefit ratio of drugs for neglected diseases;

35. Believes that Public-Private Development Partnerships (PDPs) offer a successful model for building collaboration between pharmaceutical companies and public research in order to develop innovative therapies and strengthen capacity building;

36. Recalls the right of developing countries to use the flexibilities afforded to them by the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), especially in non-profitable areas not applicable to the Organisation for Economic Cooperation and Development (OECD) market, while maintaining incentives through intellectual property protection and addressing regulatory issues relating to the registration and marketing of drugs; believes that such rights can be useful in disputes over the licensing of new medicines and intellectual property rights with the pharmaceutical industry where health issues of overriding public interest are at stake;

37. Highlights the recent example of Brazil's use of all the opportunities afforded by the TRIPS Agreement with regard to the compulsory licensing of medicines and other intellectual property right aspects;

38. Is very concerned that some ACP governments levy tariffs, import duties and taxes on active pharmaceutical ingredients, finished pharmaceutical products and vaccines, which then make drugs unaffordable to poor communities; urges the European Commission to investigate this and to encourage governments to abolish such taxes;

39. Emphasises the importance of complying with prescribed medication in order to limit resistance, and seeking wherever possible shorter drug regimes, combinations and fixed doses;

40. Calls on ACP countries and the EU to step up efforts against counterfeit medicines by supporting effective quality control of medical products and materials, strengthening customs and police cooperation and promoting an international convention aimed at criminalising the production and sale of counterfeit medicines;

41. Calls on ACP countries to commit to and accelerate the introduction of Artemisinin-based Combination Therapy (ACT), recognised as the most effective treatment for malaria; calls on donors to finance ACT drugs and to support their purchase, prequalification and manufacture;

42. Underlines the shared interest between developed and developing countries, for example in controlling antimicrobial resistance and finding better antivirals and vaccines for influenza; points out that research into neglected diseases can have positive spin-offs for the understanding of other diseases; for example, research into vaccines and immunity can enhance knowledge about allergic disorders that affect a growing number of people in Europe;

43. Urges that the Global Plan to Stop TB be implemented, and believes there is an urgent need for new, rapid diagnostic tests for TB, including MDR-TB, suitable for resource-limited settings, and urges that steps be taken to ensure that all TB drugs in development are tested in trials with MDR patients;

44. Believes that the scourge of HIV/AIDS must be tackled by providing universal access to prevention, treatment and care, including access to antivirals, voluntary counselling and testing, and through reinforced efforts to develop microbicides and vaccines;
45. Calls for the international donor community to support the WHO and its Preventative Chemotherapy Strategy in increasing access to adequate and reliable supplies of high-quality anthelmintic drugs (albendazole, ivermectin, praziquantel) to prevent and treat parasitic worm infections, and for the establishment of a global procurement facility;

46. Calls for a commitment by ACP countries and the EU to strengthen care for those with mental illnesses and neurological disorders and injuries, by improving primary care and community-based rehabilitation whilst increasing public and professional awareness and combating stigma and discrimination;

47. Believes that services able to diagnose, manage and treat conditions such as diabetes would save many lives and reduce disability and, in particular, that access to insulin and drugs should be expanded and networks of specialists and specialist training established;

48. Calls on the ACP governments and the Commission to support programmes to prevent and cure obstetric fistula, including enforcement of laws on the legal age for marriage, promotion of universal access to obstetric care and reproductive health education and social rehabilitation of girls and women after treatment;

49. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the WHO, the European Commission, the African Union, the World Bank and the IMF.

RESOLUTION (1)

on natural disasters in ACP States: EU funding for preparedness (EDF funds) and relief (ECHO funds)

The ACP-EU Joint Parliamentary Assembly,

— meeting in Kigali (Rwanda) from 19 to 22 November 2007,
— having regard to Article 17(2) of its Rules of Procedure,
— having regard to the Cotonou Agreement, and in particular Articles 30 (regional cooperation) and 32 (environment and natural resources) thereof,
— having regard to the Environment Initiative of the New Partnership for Africa’s Development (NEPAD),
— having regard to the Decision on Climate Change and Development and the Decision on the implementation of the Green Wall for the Sahara Initiative, taken by the Assembly of the AU at its session of 29–30 January 2007,
— having regard to Decision No 3 of the 79th Session of the ACP Council of Ministers, held in Gaborone (Botswana) on 4 and 5 May 2004, which reaffirmed the need to mainstream desertification policies and dry land issues in order to address critical sustainable management matters, such as drought, deforestation and water resources,
— having regard to Decision No 3/LXXIX/04 of the 4th Summit of ACP Heads of State and Government, held in Maputo (Mozambique) on 23 to 24 June 2004, which underlined the extreme vulnerability of many ACP States, regions and populations to natural disasters and their associated environmental problems, and encouraged a commitment to support pro-active initiatives to combat these problems,

(1) Adopted by the ACP-EU Joint Parliamentary Assembly on 22 November 2007 in Kigali (Rwanda).
— having regard to the Presidency Conclusions of the European Council of 8-9 March 2007, underlining the importance of achieving the strategic objective of limiting the global average temperature to not more than 2 °C above pre-industrial levels,

— having regard to the agreement of the EU, Canada and Japan at the G8 meeting in Heiligendamm in June 2007 to at least halve the level of global emissions of CO₂ by 2050,

— having regard to the reports of the Intergovernmental Panel on Climate Change (IPCC), which was awarded the 2007 Nobel Peace Prize, and in particular to the Fourth Assessment Report of Working Group II of the IPCC entitled ‘Impacts, Adaptation and Vulnerability’,

— having regard to the Millennium Ecosystem Assessment Report of 2005, studying the use and degradation of many of the planet’s natural resources,

— having regard to the United Nations Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol,

— having regard to Agenda 21, the Rio Declaration on Environment and Development, and the Statement of Principles for the Sustainable Management of Forests, adopted by more than 178 governments at the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro (Brazil) from 3 to 14 June 1992 and whose principles were strongly reaffirmed at the World Summit on Sustainable Development (WSSD) held in Johannesburg (South Africa) from 26 August to 4 September 2002,

— having regard to the United Nations Convention to Combat Desertification, which was adopted in Paris on 17 June 1994 and entered into force on 26 December 1996,

— having regard to the final report of the World Conference on Disaster Risk Reduction (DRR) of 18-22 January 2005 and, in particular, the Hyogo Framework for Action 2005-2015: Building the Resilience of Nations and Communities to Disasters,

— having regard to UN General Assembly Resolution 57/256 of 20 December 2002 on the review of the Yokohama Strategy and Plan of Action for a Safer World — Guidelines for Natural Disaster Prevention, Preparedness and Mitigation, and the UN ‘Barbados plus 10’ International Meeting on Small Island Developing States (SIDS) held in Mauritius in January 2005,

— having regard to its previous resolutions adopted on 1 April 1999 in Strasbourg on climate change and small island developing states in the context of the ACP-EU cooperation framework (1), on 19 February 2004 in Addis Ababa on the damage caused by cyclones in the Pacific, the Indian Ocean and the Caribbean and the need for a rapid response to natural disasters (2), on 25 November 2004 in The Hague on the hurricane damage in the Caribbean region (3) and on 24 November 2005 in Edinburgh on causes and consequences of natural disasters (4),

— having regard to the report of its Committee on Social Affairs and the Environment (APP/3802/05).

A. whereas disasters and the depletion of natural resources pose a serious threat to poverty reduction and to the achievement of the MDGs,

B. whereas the contribution of ACP countries to the causes of climate change is negligible, while they are the ones suffering its consequences most severely; whereas climate change can slow the pace of progress towards sustainable development, either directly through increased exposure to adverse impact or indirectly through erosion of the capacity to adapt,

(2) OJ C 120, 30.4.2004, p. 44.
(3) OJ C 80, 1.4.2005, p. 36.
C. whereas the impact of natural disasters is particularly detrimental for developing countries, reversing the beneficial effects of development cooperation, hampering further growth and poverty eradication and causing severe biodiversity losses,

D. whereas the ACP States face a key challenge to effectively address the long-term impact of natural disasters through developing and strengthening national and regional disaster risk reduction, recovery and management activities,

E. whereas ACP countries provide a wide range of ecosystem services to the world, without due compensation,

F. whereas new studies confirm that Africa is one of the most vulnerable continents to climate variability because of multiple stresses and low adaptative capability; whereas by 2020 between 75 and 250 million Africans are projected to be exposed to increased water stress due to climate change; whereas agricultural production, fisheries and access to food are also projected to be severely compromised,

G. whereas climate change is projected by 2050 to reduce water resources to the point where they become insufficient to meet demand in many small island states, e.g. in the Caribbean, Indian Ocean and Pacific, which are especially vulnerable to rises in sea-level and natural disasters,

H. whereas towards the end of the 21st century, projected rises in sea-level will affect low-lying coastal areas with large populations and are expected to exacerbate flooding, storm surges, erosion and other coastal hazards, affecting local resources and tourism, threatening settlements, facilities and vital infrastructure,

I. whereas non-climate stresses can increase vulnerability to climate change and natural disasters by reducing resilience and can also reduce adaptative capacity and the effects of prevention and mitigation policy because of resource deployment to competing needs,

J. whereas few plans for promoting sustainability and reducing vulnerability to climate change and natural disasters have included promoting adaptative capacity,

K. whereas DRR is primarily a national responsibility, and whereas there is a need for strengthened cooperation and partnership at the regional and international level,

L. whereas environmental concerns, disaster preparedness and prevention and climate change mitigation are not mainstreamed in all EC aid programmes and related instruments, while they are important for all countries,

M. whereas policies for the promotion of energy security and other mitigation efforts over the next decades will have a large impact on opportunities to achieve lower stabilisation levels of greenhouse gas emissions,

N. whereas the financial flows to developing countries through the Clean Development Mechanism (CDM), the Global Environment Facility (GEF) and development assistance for technology transfer have so far been limited and geographically unequally distributed,

O. whereas making development more sustainable by changing development paths can make a major contribution to climate change mitigation, but implementation may require resources to overcome multiple barriers,

1. Stresses the threats posed by natural disasters and climate change to sustainable development, poverty eradication and the achievement of the MDGs; also stresses the importance of MDG 7 on ensuring environment sustainability;
2. Notes the growing number and frequency of natural disasters, their devastating impact and the particular vulnerability of poor people in these situations; underlines the increasing difficulty to distinguish natural from man-made disasters, when risks are determined not only by natural hazards, but also by human activity and lack of planning;

3. Stresses that there is a need for an effective global response to the problem of natural disasters in ACP countries in which industrialised countries should assume their responsibility and take the lead in combating the effects of greenhouse gases, which have contributed to climate change;

4. Asks ACP and EU governments and parliaments to ensure that the exploitation of natural resources does not cause major ecological imbalances; in this connection, notes with concern that excessive tree-felling and illegal logging can lead to desertification and other climatic changes, against which action should be taken through responsible and effective forestry policies, appropriate reafforestation practices and sustainable agricultural practices; calls on companies exploiting natural resources to comply with environmental standards and regulations;

5. Notes the consequences and the challenges of climate change, namely in the form of extreme weather conditions and receding natural resources, with serious development and security implications, like increased vulnerability, conflicts over natural resources and disaster-driven migration; underlines, therefore, that DRR must address climate change mitigation and adaptation;

6. Notes that natural disasters may lead to large-scale population movement and acknowledges that, although DRR is above all a national responsibility, it is incumbent on ACP and EU governments to demonstrate solidarity with affected nations;

7. Highlights the WHO warnings on the extremely high risk that global warming poses to health in Southern countries, particularly with regard to malaria and eyesight, and urges action to be taken to support measures to prevent, ameliorate and manage these exacerbated health problems;

8. Calls for a time-bound comprehensive strategy to mainstream DRR, disaster preparedness and climate change strategies into all National Development Plans, EU development policy and humanitarian aid; stresses that these strategies should support action by civil society, local communities and authorities in a long-term approach to reducing vulnerability to disasters;

9. Calls on EU Member States to support ACP countries in designing people-focused DRR, climate change and pre-crisis plans that should include mitigation and adaptation strategies, early warning systems, disaster preparedness and evacuation strategies, emergency safety zones, insurance schemes and the funding of humanitarian resources for rapid distribution; calls also on ACP countries to ensure these actions are a national and local priority with a strong institutional basis for implementation and taking into consideration the needs of vulnerable groups;

10. Calls on the EU to allocate at least 10 % additional funding to humanitarian assistance budgets for reducing disaster risks and to increase significantly resources for DRR and climate-change mitigation and adaptation within development aid budgets, without jeopardising other efforts, in particular in the field of basic health and education;

11. Underlines that ACP States and regions demand the support of the international community which is necessary in order to improve their national and regional disaster mitigation, preparedness and early warning capacities, increase public awareness about disaster reduction and prediction and respond to emergency situations;

12. Regrets the very low level of resources allocated to the ACP-EU Natural Disaster Facility, despite increasing needs, while welcoming its creation; calls on the EU to allocate additional resources to the Facility under the 10th EDF and other EU budget lines, in order to adequately assist ACP States and regions in DRR and emergency relief, rehabilitation and development (LRRD) capacity building and the financing of improved early-warning and rapid-response systems;
Urges the European Commission, therefore, to continue, under the 10th EDF, to support the ACP-EU Natural Disaster Facility, and to further extend its scope by providing at least EUR 250 million out of the resources earmarked for intra-ACP cooperation, also using part of the resources under the proposed ‘reserve’ to assist ACP regions and ACP States, in particular the small island ACP States, in the comprehensive implementation of an all-ACP natural disaster preparedness and management programme and long term post-disaster reconstruction;

Believes that the European Development Fund (EDF) needs sufficient funding in order to assist developing countries in their adaptation and the mitigation of effects caused by climate change, emphasises in this regard the importance of capacity building, disaster prevention, education, working infrastructures and access to medicines, and points to the need to build capacity in science, impact and adaptation assessment, forecasting of risks, and the preparation of CDM (Clean Development Mechanism) projects;

Stresses the need to increase funding for the development of the relevant human resources for disaster prevention, preparedness, mitigation and management and for climate change adaptation, as well as for strengthening South-South cooperation in these areas;

Calls on the European Commission and EU Member States to take all the necessary measures to enable the quickest possible mobilisation of adequate financial support for emergency and humanitarian relief;

Stresses the need for a constant update of the ACP country environmental profiles and for environment mainstreaming in the Country Strategy Papers (CSPs), Regional Strategy Papers (RSPs) and thematic programmes; underlines the importance of associating national parliaments and civil society in this process;

Believes that development policy cannot be dissociated from environment and other policies and calls for a holistic sustainable development policy approach, which integrates the environmental dimension in ACP country and regional strategy papers, as well as in all development programmes and projects;

Calls for the Global Climate Change Alliance (GCCA) to become a key instrument in addressing disaster prevention and preparedness as well as climate-change adaptation and mitigation;

Urges ACP governments to design pre-crisis emergency and contingency plans that should include evacuation strategies, emergency safety zones, insurance schemes and the financing of humanitarian resources for rapid distribution;

Stresses the need for a truly global approach on natural disasters and climate change and calls on the international community to commit itself to international progressive solutions; calls, therefore, for the launch of negotiations at the UN International Climate Conference on a global and comprehensive post-2012 agreement, which should build upon and broaden the Kyoto Protocol;

Urges developed countries to commit more resources for the existing funding mechanisms under the Kyoto Protocol and to seek to make these contributions a binding commitment;

Calls for the sharing of best practices, technology transfer and awareness raising, namely on land-use planning, construction in risk zones, safe building construction and the protection of critical facilities;

Calls for improved regional and international cooperation in order to facilitate information and communication technology (ICT) sharing and the continued financing of low-tech solutions such as radio in rural and remote locations;

Calls on ACP countries to agree regionally on the management of river basins, taking coordinated measures on water and fisheries resources;
26. Notes that the use of renewables, such as solar, wind and biomass energy, would make ACP countries less dependent on oil, calls on the EU and its Member States to transfer the appropriate technology and provide adequate funding, and urges the European Commission to review the criteria to include pro-environment, vulnerability and insularity criteria, in determining eligibility for access to the resources of the Energy and Water Facilities under the 10th EDF.

27. Calls on ACP and EU countries to fix a specific target for the use of renewable energy, and considers that renewable energy should be put at the heart of ACP-EU development cooperation programmes under the Cotonou Agreement;

28. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the African Union and the Secretary-General of the United Nations.

RESOLUTION (/)

on the situation in the Democratic Republic of Congo, particularly in the East of the country, and its impact on the region

The ACP-EU Joint Parliamentary Assembly,

— meeting in Kigali (Rwanda) from 19 to 22 November 2007,

— having regard to Article 17(2) of its Rules of Procedure,

— having regard to its previous resolutions on the Democratic Republic of Congo (DRC) and the Great Lakes region,

— having regard to the resolutions of the United Nations (UN) Security Council on the situation in Democratic Republic of Congo and the monthly reports of the UN Secretary-General on this matter,

— having regard to the resolution of the European Parliament of 15 December 2004, on the situation in the eastern DRC (/),

— having regard to the Pact for Security, Stability and Development in the Great Lakes region that was signed in Nairobi (Kenya) on 16 December 2006 by the Heads of State and Government of the countries of the Great Lakes region,

— having regard to the International Convention on the Rights of the Child of 20 November 1989, which prohibits the involvement of children in armed conflicts,

— having regard to the report of the mission of the ACP-EU Joint Parliamentary Assembly on the observation of the presidential and legislative elections held in the DRC on 30 July and 29 October 2006 respectively,

— having regard to the joint action of the Council concerning the mission of the European Union (EU) to provide advice and assistance in the framework of the reform of the security sector in the DRC,

— having regard to the Kimberley process, which aims, ultimately, to put an end to the circulation of blood diamonds and to improve governance in those countries rich in natural resources through the verification and complete publication of all payments made by the companies and the revenue derived by the governments from oil, gas, and mining products,

/) Adopted by the ACP-EU Joint Parliamentary Assembly on 22 November 2007 in Kigali (Rwanda).
A. whereas the many years of armed conflict have resulted directly and indirectly in 4 million direct and
direct victims and caused the displacement of at least 1.5 million people, most of them women and
children, as well as the destruction of the socioeconomic infrastructures of the DRC,

B. recalling, with concern, that, since the end of 2006, approximately 300 000 persons living in the
province of North Kivu have been forced to flee their homes due to warfare involving the regular
armed forces of the DRC and the rebel troops of ousted general Laurent Nkunda, and other armed
groups bringing the total number of displaced persons up to 800 000 people,

C. tremendously worried by the increasing violence, the widespread human rights violations, rapes and
other forms of sexual violence perpetrated against women from the eastern provinces of North Kivu
and South Kivu,

D. deeply concerned by the persistence and increasing recruitment of child soldiers in the east of the DRC
by armed militias,

E. concerned by the near-permanent situation of insecurity in the east of the DRC, which makes it impos-
sible for humanitarian organisations to distribute foodstuffs and basic necessities such as medicines, to
the civilian population,

F. considering the presence of foreign armed groups, including the ex-Rwandan Armed Forces
(ex-FAR)/Interahamwe (Democratic Forces for the Liberation of Rwanda (FDLR)), which continue to
commit, with impunity, atrocities such as murder, rape, torture and raids, thereby forcing civilians to
become displaced to the east of the DRC and in the neighbouring countries, which constitutes a threat
to the security, stability and development of the country,

G. whereas the persistence of armed conflicts and renegade armed groups in the Great Lakes region
constitutes a serious threat to peace, stability, democracy and the development of that region; whereas
it compromises cooperation between the states of the region and cancels out the efforts of the interna-
tional community to bring about the emergence of vibrant and prosperous democratic states in that
region and the improvement of the living conditions of their respective populations,

H. whereas it is imperative, consequently, to take all the necessary measures to put an end to the conflicts,
dismantle the armed groups and forestall any future conflict so as to consolidate peace and democracy,
promote the stability and development in the region for the wellbeing of all the peoples of the Great
Lakes region, and to enable the legitimate institutions of the DRC to devote their energies to rebuilding
their country, which has been destroyed by recurring wars,

I. whereas peace and security, both in the DRC and in the Great Lakes region, can only be achieved by
putting an end to the threat created by foreign and national armed groups in the DRC and their poli-
tical organisations, as well as by the complete disarming of all paramilitary groups marauding in that
region,

J. whereas the International Criminal Court (ICC) has been investigating the crimes that may have been
committed in the DRC since 2004,

K. having regard to the commitments made in Kigali on 28 August 2007 by the parties at the ‘Tripartite
Plus’ summit, namely the army chiefs of the DRC, Rwanda, Uganda and Burundi, and those made on
16 September 2007 by the foreign affairs ministers of those countries, with the aim of seeking peace
by neutralising the rebel armed forces located in the respective territories; having regard to the Joint
Declaration of the foreign affairs ministers of the DRC and Rwanda issued at the end of the meeting in
Kinshasa on 3 and 4 September 2007,

L. whereas the Joint Communiqué of the Government of the DRC and the Government of the Republic
of Rwanda on a common approach to end the threat posed to peace and stability in both countries
and the Great Lakes region, signed on 9 November 2007 by the foreign affairs ministers of the
two countries under the facilitation of the UN and in the presence of representatives of the United
States of America and the EU, outlines new prospects for peace and cooperation among the states in
the region,
M. whereas the President of the DRC, Joseph Kabila, and his Ugandan counterpart, Yoweri Museveni, met in Tanzania in September 2007 to set up, with the support of the UN, a joint military force to dislodge the Lord’s Resistance Army (LRA) rebels causing instability in the region and also to embark on joint oil exploration exercises,

N. whereas the DRC possesses an abundance of natural mineral wealth and forestry resources, among others, which must be carefully and efficiently managed to ensure that country’s economic and social development,

O. having regard to the Extractive Industries Transparency Initiative (EITI), to which the DRC is party,

P. having regard to the decision of the Government of the DRC to review the mining and forestry contracts signed during the period of war and the transition phase,

Q. whereas the new constitution adopted on 18 December 2005 by the Congolese people offers the solid base necessary to build a state founded on the rule of law and a truly democratic society,

R. whereas the multiparty presidential and legislative elections held in the DRC on 30 July and 29 October 2006 respectively have given the population renewed hope for an era of peace, stability and prosperity after many years of dictatorship and war; whereas municipal elections are currently being organised,

S. whereas all Congolese citizens have the right to equal protection by the government entities, particularly as regards security, and the safety of their persons and property,

T. whereas the Congolese Parliament has recently passed the law on the status of the political opposition in the DRC so as to strengthen democracy and the role of the political opposition in governing the country,

1. Calls on all the forces participating in conflicts in the east of the DRC to respect human rights and international humanitarian law, to cease all attacks on civilians and to allow humanitarian agencies to come to the assistance of the civilian population;

2. Urges that the perpetrators of human rights violations, war crimes, crimes against humanity, sexual violence against women and the recruitment of child soldiers be reported, identified, prosecuted and punished in accordance with national and international criminal law;

3. Calls on the Government of the DRC and the United Nations Mission in the Democratic Republic of Congo (MONUC) to guarantee an appropriate level of security for the members of humanitarian organisations;

4. Calls on the governments of the EU and ACP countries, the Council of the EU, the European Commission, the UN and the African Union (AU) to do everything possible to provide efficient and adequate aid to the population in the east of the DRC and to contribute to address a humanitarian disaster;

5. Expresses grave concern regarding the situation and the number of internally displaced persons and refugees who are still in the neighbouring countries, and calls on the DRC authorities and the host countries to do everything in their power to facilitate the safe return of the Congolese refugees, particularly by cooperating fully with partners such as the UN World Food Programme (WFP) and the UN High Commission for Refugees (UNHCR);

6. Calls on the European Commission and the Council to prepare, with the cooperation of non-governmental organisations (NGOs) and the Government of the DRC, a humanitarian programme for the DRC with the aim of providing increased and improved medical assistance to the Congolese people;

7. Calls on the European Commission to provide support, including financial aid, to the organisation of a peace conference in Kivu, so as to enable the population to participate in the search for lasting solutions;

8. Takes due note of the mutual commitments by Burundi, the DRC, Uganda and Rwanda, and in particular the Joint Communiqué signed by the governments of Rwanda and the DRC in Nairobi on 9 November 2007, with a view to finding a concerted and lasting solution to the security problems in the region, and commends the parties for their efforts;
9. Urges all the parties to strictly honour the commitments made, and calls on the UN, the EU, the AU, the partners of the states concerned, as well as the Friends of the Great Lakes, to strongly and actively support the efforts to implement these commitments and the Pact on Security, Stability and Development in the Great Lakes region;

10. Urges the Government of the DRC, with the support of MONUC — whose resources have to be increased — and, in accordance with paragraph 9(b) of the Joint Communiqué of 9 November 2007, to launch military operations, as a matter of urgency, to dismantle the ex-FAR/Interahamwe as a genocidal military organisation in the DRC, and that these operations be simultaneously conducted with operations to dismantle illegal armed groups in North and South Kivu,

11. Welcomes the will expressed by Rwanda and the DRC during the meeting of their respective foreign affairs ministers in Kinshasa on 3 and 4 September 2007 to normalise relations between the two countries, and encourages them in this regard;

12. Requests that all the states signatory to the Pact on Security, Stability and Development in the Great Lakes region ratify and implement it fully;

13. Calls for efforts to be made at national and international level to reinforce the rule of law in the DRC, especially in the areas of governance and security;

14. Appeals for the restoration and respect for the authority of the state in the entire country, which implies disarming all the militia;

15. Calls on the international community, including the EU Member States and the ACP States, to honour their promises to cooperate with the DRC and help to bring stability to the east of the country;

16. Calls on the UN, the EU, the AU and the other partners of the DRC to continue to support the efforts of that country's authorities to reform the army, the police, the security services and the judiciary with a view to re-establishing the state and its authority, all essential elements for the consolidation of peace and security in the country and the Great Lakes region as well;

17. Expresses satisfaction with the establishment of democratically elected institutions in the DRC and calls on the country's leaders to take all the necessary initiatives to consolidate democracy and ensure the participation of all the active forces in the Congolese nation in the governance of the country on the basis of constitutional rule;

18. Welcomes the fact that the Parliament of the DRC has passed the law establishing the status of political opposition, and calls for its rapid promulgation and successful application;

19. Calls for support from the EU and the international community for the organisation of the local and municipal elections, initially scheduled to be held in 2007, as the last stage of the Congolese electoral process;

20. Takes note of the decision to review the mining and forestry exploitation contracts signed during the period of war and the transition phase with a view to their renegotiation, and calls on the Government of the DRC to put in place transparent mechanisms for the management of the country's natural resources to enable the Parliament, as well as civil society, to put forward proposals in the interest of the Congolese population;

21. Considers that access to, and the democratic control and equitable redistribution of, the country's natural wealth in favour of the population as a whole are indispensable for the sustainable development of the country;

22. Calls on the European Commission and the Council of the EU to strengthen its present cooperation links with the Government of the DRC in the area of supervision of the exploitation of the country's natural resources;

23. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the Governments of the DRC and the Great Lakes countries, the Secretary-General of the UN and the Commission of the AU.
ANNEX V

Kigali Declaration
for development-friendly Economic Partnership Agreements (EPAs)

The ACP-EU Joint Parliamentary Assembly, meeting in Kigali (Rwanda) from 19 to 22 November 2007:

I. Preamble

A. whereas the Cotonou Agreement sets out the Parties’ agreement to conclude new WTO-compatible trading arrangements, progressively removing barriers to trade between them, enhancing cooperation in all areas relevant to trade and development, building on the acquis and improving market access,

B. whereas establishing regional markets represents a key instrument for successfully implementing EPAs, and whereas regional integration represents an important basis for the social and economic development of ACP States,

C. recalling that the objective of ACP-EU economic and trade cooperation is to promote development and to foster the gradual integration of ACP States into the world economy,

D. recalling that, according to the Cape Town Declaration, the main objective of the EPA negotiations is to strengthen the economies of ACP States,

E. underlining that the Cape Town Declaration called for negotiations to be structured in an open and transparent way, taking into account the differences in resources and level of development between the two negotiating sides,

F. recognising the fact that, thus far, for various reasons, none of the ACP negotiating teams has been able to complete negotiations on a comprehensive EPA,

II. The negotiation process

1. Takes note that ACP States declare that they have been put under pressure by the European Commission to sign an EPA and that this is against the spirit of the ACP-EU partnership;

2. Urges the European Commission to acknowledge that more time is needed for ACP States to assess, in a comprehensive way, the implications of the agreements proposed, given that negotiations have only taken place in earnest for the past two years;

3. Notes with concern that the European Commission has stated that, if agreements are not in place, tariffs will be imposed on many exports from non-LDC ACP States, starting on 1 January 2008, and that this would threaten the welfare and livelihoods of millions of workers in ACP States;

4. Notes the recent decision by the European Commission to adopt a two-step approach with a view to avoiding trade disruption for some ACP States and to continue negotiations beyond 31 December 2007 on comprehensive, development-friendly EPAs;

5. Underlines the importance of regional markets and stresses that any ‘two-step’ approach, or any other initiative that might undermine ongoing ACP regional integration processes, must be avoided;

6. Stresses that the European Commission must honour commitments made in the Cotonou Agreement to ensure that the ACP States — including non-LDCs — not in a position to sign an EPA be provided with a new framework for trade which is equivalent to their existing situations and in conformity with Article 37(6) of the Cotonou Agreement;

7. Calls on the parties to include a periodic review clause in all EPAs, in order to assess their implementation and to allow for any necessary adjustments;

III. Principles

Overall approach

8. Believes that all agreements reached, whether interim arrangements or full EPAs, must ensure that no country is left worse off after the expiry of the negotiation deadline;

9. Calls for the threshold laid down in interim agreements for the accession of LDCs to be adequately lowered to match their stage of development;

10. Stresses that the process of regional integration for EPA regions must be an underlying principle of EPAs, and that these agreements must be consistent with, and contribute to, the strengthening of ACP regional integration initiatives;
Enhancing market access

11. Appreciates that, for LDCs not yet party to the interim arrangements, the ‘Everything But Arms’ (EBA) initiative alone is not sufficient, and should be coupled with improved and simplified rules of origin;

12. Underlines that the simplification of rules of origin is a prerequisite and that all necessary flexibility in the implementation of the new agreements should be introduced;

13. Stresses that the European Commission should include appropriate asymmetries in the agreements, in particular concerning: the definition of ‘substantially all the trade’; coverage of sensitive products; length of transition periods and pace of liberalisation based on development benchmarks; safeguards; and dispute settlement;

14. Notes that the conclusion of a new generation of free trade agreements by the European Commission could lead to the further erosion of trade preferences that ACP States currently enjoy, and that the EU should therefore take this into account and provide adequate support for adjustment, enhanced competitiveness and diversification in ACP States;

15. Calls for adequate financial and technical assistance to ACP States to enable them to meet EU import regulations and standards and thus fully benefit from improved market access;

Addressing supply-side constraints

16. Expresses concern about many of the provisions tabled by the European Commission in the areas of services, competition, intellectual property, and government procurement, as some ACP regions do not want to address these issues, and urges the European Commission to be flexible on this matter;

17. Regrets that the delays in the ratification of the revised Cotonou Agreement could impede the implementation of the 10th European Development Fund (EDF), which is likely to result in a shortfall in annual aid allocations to ACP-EU cooperation, and therefore encourages all parties to complete the ratification process as soon as possible;

18. Stresses that a ‘goods-only’ agreement must include specific provisions for EPA-related aid-for-trade support, in addition to the EDF, to build supply-side capacity and address the social impact of trade liberalisation in ACP States;

19. Stresses, further, that delivery of EDF resources must not be linked to, or made conditional on, signing EPAs;

Government revenue diversification

20. Calls for more attention to be paid to revenue diversification challenges facing ACP States, particularly given that import duties on virtually all trade with the EU would be abolished;

21. Welcomes the proposal for the establishment of EPA Regional Funds, which would include a ‘fiscal adjustment facility’, made up of contributions by the European Commission and EU Member States, in order to provide financial assistance for revenue diversification initiatives in ACP States and to support fair trade initiatives;

Addressing external trade effects of the reform of the common agricultural policy

22. Calls on the EU to ensure that any reform of the common agricultural policy (CAP) is fully coherent with the objectives of its development policy and cooperation with ACP States;

23. Believes that important lessons from earlier agricultural reforms (including banana and rum sector adjustments, as well as the EU CAP reform) must be applied in the design and implementation of sugar sector accompanying measures;

The gender dimension

24. Regrets that, thus far, no specific positive measures have been developed to safeguard and promote the rights of women and girls in accordance with Article 31 of the Cotonou Agreement, and that there has been no gender mainstreaming in the EPA negotiation process; calls, therefore, on the European Commission to carry out a systematic analysis, during the negotiations and following their conclusion, of the social impact of EPAs on the most vulnerable groups;
Conclusion

25. Agrees to organise JPA oversight to publicly monitor and review the trade and development impact of EPA implementation, to improve policy coherence for development and to design mechanisms to ensure accountability and regular reporting of the EPAs' contribution to equitable and sustainable development;

26. Concludes that the Joint Parliamentary Assembly will continue to work to ensure that any new framework for trade will leave no single country worse off, and, further, that new trading arrangements will foster prosperity and sustainable development in all ACP States.