NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

The 31st session took place in Windhoek (Namibia) from 13 to 15 June 2016.

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**KEYS TO SYMBOLS USED**

* Consultation procedure

*** Consent procedure

***I Ordinary legislative procedure: first reading

***II Ordinary legislative procedure: second reading

***III Ordinary legislative procedure: third reading

(The type of procedure is determined by the legal basis proposed in the draft act.)

**ABBREVIATIONS USED FOR PARLIAMENTARY COMMITTEES**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Committee Name</th>
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<tbody>
<tr>
<td>AFET</td>
<td>Committee on Foreign Affairs</td>
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<tr>
<td>DEVE</td>
<td>Committee on Development</td>
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<tr>
<td>INTA</td>
<td>Committee on International Trade</td>
</tr>
<tr>
<td>BUDG</td>
<td>Committee on Budgets</td>
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<tr>
<td>CONT</td>
<td>Committee on Budgetary Control</td>
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<tr>
<td>ECON</td>
<td>Committee on Economic and Monetary Affairs</td>
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<tr>
<td>EMPL</td>
<td>Committee on Employment and Social Affairs</td>
</tr>
<tr>
<td>ENVI</td>
<td>Committee on the Environment, Public Health and Food Safety</td>
</tr>
<tr>
<td>ITRE</td>
<td>Committee on Industry, Research and Energy</td>
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<tr>
<td>IMCO</td>
<td>Committee on the Internal Market and Consumer Protection</td>
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<tr>
<td>TRAN</td>
<td>Committee on Transport and Tourism</td>
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<tr>
<td>REGI</td>
<td>Committee on Regional Development</td>
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<tr>
<td>AGRI</td>
<td>Committee on Agriculture and Rural Development</td>
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<tr>
<td>PECH</td>
<td>Committee on Fisheries</td>
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<tr>
<td>CULT</td>
<td>Committee on Culture and Education</td>
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<tr>
<td>JURI</td>
<td>Committee on Legal Affairs</td>
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<tr>
<td>LIBE</td>
<td>Committee on Civil Liberties, Justice and Home Affairs</td>
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<tr>
<td>AFCO</td>
<td>Committee on Constitutional Affairs</td>
</tr>
<tr>
<td>FEMM</td>
<td>Committee on Women's Rights and Gender Equality</td>
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<tr>
<td>PETI</td>
<td>Committee on Petitions</td>
</tr>
<tr>
<td>DROI</td>
<td>Subcommittee on Human Rights</td>
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<tr>
<td>SEDE</td>
<td>Subcommittee on Security and Defence</td>
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**ABBREVIATIONS USED FOR POLITICAL GROUPS**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Group Name</th>
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</thead>
<tbody>
<tr>
<td>PPE</td>
<td>Group of the European People's Party (Christian Democrats)</td>
</tr>
<tr>
<td>S&amp;D</td>
<td>Group of the Progressive Alliance of Socialists and Democrats in the European Parliament</td>
</tr>
<tr>
<td>ECR</td>
<td>European Conservatives and Reformists Group</td>
</tr>
<tr>
<td>ALDE</td>
<td>Group of the Alliance of Liberals and Democrats for Europe</td>
</tr>
<tr>
<td>GUE/NGL</td>
<td>Confederal Group of the European United Left — Nordic Green Left</td>
</tr>
<tr>
<td>Verts/ALE</td>
<td>Group of the Greens/European Free Alliance</td>
</tr>
<tr>
<td>EFDD</td>
<td>Europe of Freedom and Direct Democracy Group</td>
</tr>
<tr>
<td>NI</td>
<td>Non-attached Members</td>
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NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES


MINUTES OF THE SITTING OF MONDAY, 13 JUNE 2016

(2016/C 451/01)

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MINUTES OF THE SITTING OF MONDAY, 13 JUNE 2016

(The sitting opened at 11.15)

Formal inaugural sitting

The following addressed the Assembly:

Peter Hitjitevi Katjavivi, Speaker of the National Assembly of Namibia, Michèle Rivasi, Acting Co-President of the Joint Parliamentary Assembly, Netty Baldeh, Co-President of the Joint Parliamentary Assembly, and Nickey Iyambo, Vice-President of the Republic of Namibia.

(The sitting adjourned at 12.35 and resumed at 15.12)
IN THE CHAIR: Netty BALDEH  
_Co-President_

Sitting of the Joint Parliamentary Assembly

The Co-President welcomed all the participants.

Composition of the Joint Parliamentary Assembly

The Co-President announced that the list of members of the Joint Parliamentary Assembly, as forwarded by the authorities of the ACP states and the European Parliament, would be annexed to the minutes.

1. Adoption of agenda (AP102.023)

The agenda was adopted as shown in these minutes.

2. Approval of the minutes of the last sitting of the 30th session of the Joint Parliamentary Assembly (OJ C 179, 18.5.2016).

The minutes were approved.

3. Co-Presidents’ announcements, including decisions taken at the Bureau meeting of 12 June 2016

The Co-President reported on the results of the Bureau meeting of 12 June 2016.

The following decisions were taken:

a) A fact-finding mission to Lampedusa would be held from 13 to 15 July 2016.

b) Election observation missions would be sent to Gabon and Zambia in August 2016, subject to invitations being sent to the Assembly from the competent authorities in the two countries.

c) The venues of the 13th regional meeting from 21 to 23 September and the 32nd Session from 19 to 21 December 2016 in Central Africa would be communicated before 15 July 2016.

4. Statement by Neven Mimica, Member of the Commission with responsibility for international cooperation and development

Neven Mimica, Member of the Commission with responsibility for international cooperation and development, focused his statement on the future of the Cotonou Agreement, which would be coming to an end in 2020. While recognising the unique nature of the Agreement, the Commissioner underlined the need to adapt it to the changing environment and to the emergence of global challenges such as climate change and migration. The Commissioner presented the results of the public consultation and also informed that the EU would soon revise the European Consensus on Development in order to fully integrate into development policy the Sustainable Development Goals agenda and the outcome of the COP 21 Conference.

5. Debate with Neven Mimica, Member of the Commission with responsibility for international cooperation and development — catch-the-eye

Speakers: Jean-Luc Schaffhauser, Purmanund Jhugroo (Mauritius), Norbert Neuser, Michèle Rivasi, Agathon Rwasa (Burundi), Joyce Laboso Abonyo (Kenya), Adédoue Weidou (Chad), Abdoulaye Toure (Ivory Coast), Babikér Mohamed Toun (Sudan), and Michael Gahler.

The exchange of views focused on the future of the ACP-EU Partnership and the Economic Partnership Agreements. Members also raised questions relating to the security/development nexus, the conditionality of aid, human trafficking, the consequences of a possible Brexit on EDF funding and the new Alliance on Food Security and Nutrition. The need for a better linkage between development programmes and humanitarian assistance was reiterated.

Commissioner Mimica answered the questions raised by Members following the order of the ‘catch-the-eye’ procedure.
6. Question Time to the Commission

A total of 22 questions were put to the Commission.

The Commission had previously responded to the questions in writing. Commissioner Mimica gave oral replies to the supplementary questions related to the following original questions:

Question 3 by Cécile Kashetu Kyenge on refugee camps in Africa

Question 5 by Pedro Silva Pereira on the Economic Partnership Agreement (EPA) with the Southern African Development Community (SADC)

Question 15 by David Martin replaced by Maria Arena on the political dialogue with Burundi

Question 16 by Spès-Caritas Njerikanye (Burundi) replaced by Agathon Rwasa on the future of ACP-EU

Question 17 by Marlene Mizzi on tropical cyclone Winston in Fiji

Question 22 by Michèle Rivasi on the funding of health infrastructures by Europe following the eruption of the Ebola virus

The author of question 2 had no supplementary questions.

The authors of questions 1, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 18, 19, 20, 21 were not present.

7. Action taken by the Commission on the resolutions adopted at the 30th session of the Joint Parliamentary Assembly

A document concerning the action taken by the Commission and the European External Action Service on the resolutions adopted by the Joint Parliamentary Assembly in Brussels in December 2015 had been included in the dossiers.

8. Prevention and management of epidemics

Debate without resolution

Dr Quazi Monirul Islam, WHO representative to Namibia, outlined the latest developments and recent progress made concerning the fight against four important transmissible diseases mostly affecting developing countries, namely the Ebola virus disease, yellow fever, the Zika virus disease and malaria.

Speakers: Joachim Zeller, Cécile Kashetu Kyenge, Lucie Milebou Aubusson (Gabon), Arne Gericke, Pavel Telička, Tesfaye Daba Wajjira (Ethiopia), Michèle Rivasi, Ibrahim Rassin Bundu (Sierra Leone), Gatoloafa Amataga Gidlow (Samoa), Piermica Pedicini, Adjedoue Weidou (Chad), Francesc Gambús, Amos Fish Mahlalela (South Africa), Maria Noichl, Purmanund Jhugroo (Mauritius) and Domenico Rosa (Commission).

Members emphasised that the right to health was a fundamental right that must be guaranteed and that it had a clear cause-effect relationship with decent living conditions. Health issues must be tackled globally and thoroughly, in particular since viruses could spread across continents within hours. There was a clear link between health and wealth, and development cooperation must contribute to creating the conditions for stronger healthcare systems in developing countries. Policy coherence and better coordination among ministries were also outlined, as improved socioeconomic conditions (in particular as regards water, sanitation, nutrition and housing) had a manifest effect on better health conditions. The problem of increased antibiotic resistance, which was becoming a global emergency, was raised.

Dr Quazi Monirul Islam wound up the debate.

9. Report of the economic and social partners

Presentation by Yves Somville, Chair of the ACP Follow-up Committee, European Economic and Social Committee
Yves Somville, Chair of the ACP Follow-up Committee, European Economic and Social Committee, made a presentation on the activity report of the Committee, with particular focus on the ongoing reflection on the post-Cotonou process.

Speakers: Domenico Rosa (Commission) and Michael Gahler.

(The sitting closed at 18.40)

Netty BALDEH
Michèle RIVASI (Acting)
Co-Presidents

Leonard-Emile OGNIMBA (Acting)
Luis Marco AGIRIANO NALDA
Co-Secretaries-General
Statement by Lilianne Ploumen, Minister for Foreign Trade and Development Cooperation (the Netherlands), President-in-Office of the EU Council

Lilianne Ploumen, Minister for Foreign Trade and Development Cooperation (the Netherlands), President-in-Office of the EU Council, stressed the landmark achievements in 2015: the 2030 Agenda and the new Sustainable Development Goals, the Addis Ababa Action Agenda on financing for development, and COP 21, the new global agreement on climate change. The time had now come to implement and monitor these agendas and commitments, which must be reflected in the EU’s policies, both internal and external.

The President-in-Office called for continued and strengthened EU-ACP cooperation on joint future challenges, particularly stressing migration, peace and security, and trade. The EU was assessing the achievements and weaknesses of the Cotonou Agreement, preparing options for the future ACP-EU partnership framework with the aim of presenting its recommendations towards the end of 2016. The Joint Parliamentary Assembly was one of the key fora in this process, and all ideas contributing to the building of a future modern and equal partnership were welcome.
2. **Statement by Ingrid Olga Ghislaine Ebouka-Babackas**, Minister of Planning, Statistics and Regional Integration (Republic of the Congo), President-in-Office of the ACP Council

Ingrid Olga Ghislaine Ebouka-Babackas, Minister of Planning, Statistics and Regional Integration (Republic of the Congo), President-in-Office of the ACP Council, outlined the ACP process in preparing future ACP-EU relations. The report by the Eminent Persons Group presented to the 8th ACP Summit of Heads of State and Government in Port Moresby, Papua New Guinea, held from 30 May to 1 June 2016, called for strengthened ACP-EU relations and highlighted a number of future ACP challenges, including the 2030 Agenda and finding adequate resources to finance it, the promotion of strong, inclusive and fair economic growth, migration, threats to stability and security, and the negative impact of illicit financial flows. The speaker further focused on multilateral as well as ACP-EU trade issues, notably the need for more flexible requirements in the Economic Partnership Agreements to enable Least Developed Countries to accede to them. The ACP Group wished to see the European Development Fund maintained and ACP-EU relations deepened and strengthened, and also believed the ACP Group should build further on south-south and triangular cooperation.

3. **Question Time to the Council**

13 questions were put to the ACP Council and 13 to the EU Council.

Ingrid Olga Ghislaine Ebouka-Babackas replied on behalf of the ACP Council to the following question and a supplementary question:

**Question 10 by Michèle Rivasi on public-private partnerships in farming in Africa**

The following questions were answered but not followed by a supplementary question:

**Question 2 by David Martin (replaced by Maria Arena) on the security situation in Burundi**

**Question 4 by Marlene Mizzi on the Zika virus outbreak**

**Question 11 by Enrique Guerrero Salom (replaced by Norbert Neuser) on the World Humanitarian Summit**

The authors of questions 1, 3, 5, 6, 7, 8, 9, 12 and 13 were not present.

Lilianne Ploumen replied on behalf of the EU Council to the following questions and supplementary questions:

**Question 15 by David Martin (replaced by Maria Arena) on the security situation in Burundi**

**Question 16 by Cécile Kashaetu Kyenge on elections in the Democratic Republic of Congo**

**Question 23 by Enrique Guerrero Salom (replaced by Norbert Neuser) on the World Humanitarian Summit**

The following question was answered but not followed by a supplementary question:

**Question 17 by Marlene Mizzi on the Zika virus outbreak**

The authors of questions 14, 18, 19, 20, 21, 22, 24, 25 and 26 were not present.

4. **Debate with the Council – catch-the-eye**

Speakers: Norbert Neuser, Jean-Luc Schaffhauser, Agathon Rwasa (Burundi), Michael Gahler, Juan Fernando López Aguilar, Jean Marie Kilosho Bulambo (Democratic Republic of the Congo), Magnus Kofi Amoatey (Ghana), Maria Arena, Babiker Mohamed Toum (Sudan), Sithembile Mlotshwa (Zimbabwe), Netty Baldeh (Gambia), Michèle Rivasi and Jomo Mfanawemakhozi Dlamini (Swaziland).

Members focused mainly on trade and the Economic Partnership Agreements, asking about safeguards, financial support for adaptation, capacity building and customs revenue losses. Other issues raised included future ACP-EU relations, the elections in the Democratic Republic of Congo, political dialogue with Burundi, illicit financial flows and the electrification of Africa.
5. A continental free trade area for Africa — prospects for fostering intra-African trade and potential benefits for the ACP

Committee on Economic Development, Finance and Trade

Co-rapporteurs: Jean-Marie Bulambo (Democratic Republic of Congo) and Marielle de Sarnez

Jean Marie Bulambo (Democratic Republic of Congo) and Petr Ježek (replacing Marielle de Sarnez) presented the report.

Speakers: Michael Gahler, Agathon Rwasa (Burundi), Louis-Joseph Manscour, Tesfaye Daba Wakkira (Ethiopia), Pavel Telička, Maria Heubuc, Pier nicola Pedicini, Jean-Luc Schaffhauser, Sir Louis H. Straker (Saint Vincent and the Grenadines), Francesc Gambus, Babiker Mohamed Toum (Sudan), Maria Arena, Gberi Kombo (Cameroon), Marlene Mizzi and Domenico Rosa (European Commission).

Members considered the Continental Free Trade Area (CFTA) for Africa to be a very ambitious project that will need a strong political commitment from the countries involved. It represented a good opportunity for Africa to enhance intra-African trade in order to increase economic growth, as free trade is also a powerful tool to fight poverty. However, it was stressed that liberalism and the market economy should also enable growth to result in redistribution of a fair nature. The construction of Europe — the European project had also started out as a trade and economic community — should serve as an example for the CFTA. Some concerns were expressed over the opening of borders and the negative effects of liberalism on developing economies.

Jean Marie Bulambo (Democratic Republic of the Congo) and Petr Ježek wound up the debate.

6. Report on the 12th regional meeting (Southern Africa) held in Gaborone (Botswana) from 20 to 22 April 2016 – report by the Co-Presidents

Acting Co-President Michè le Rivasi gave an oral report on the 12th regional meeting, highlighting the main topics discussed.

Speakers: Co-President Netty Baldeh (Gambia), Gilbert Shimane Mangole (Botswana) and Juan Fernando López Aguilar

Members thanked and congratulated Botswana for the successful organisation of the meeting. The debates focused on, inter alia, the importance of regional integration, migration, management of natural resources, energy and sexual violence. The two workshops on vulnerable children and the meteorological centre were particularly appreciated.

7. Co-Presidents’ announcements, including decisions taken at the Bureau meeting of 12 June 2016 (continuation)

Acting Co-President Rivasi reported on the following decision taken by the Bureau at its meeting of 12 June 2016.

The standing committees would draft the following reports:

Committee on Political Affairs

— The financing of political parties in ACP and EU countries

Committee on Economic Development, Finance and Trade

— Improving aid and development effectiveness in EU-ACP cooperation

Committee on Social Affairs and the Environment

— The role of sport as an enabler for education and poverty eradication.

(The sitting adjourned at 12.36 and resumed at 15.08)
8. Urgent topic No 1: The pre-electoral and security situation in the Democratic Republic of the Congo

Speakers: Vicky Katumwa Mukalay (Democratic Republic of the Congo), Maria Arena, Kristin de Peyron (European External Action Service), Joachim Zeller, Alpha Ousmane (Burkina Faso), Abdoulaye Touré (Côte d'Ivoire), Javier Nart, Ahamada Soukouna (Mali), Michèle Rivasi, Isabella Adinolfi, Adjedoue Weidou (Chad), Jean-Luc Schaffhauser, Joyce Laboso (Kenya), Michael Gahler, Cécile Kashetu Kyenge, Maria Noichl and Jo Leinen.

Members unanimously welcomed the agreement reached on a compromise resolution, and stressed the importance of peace and stability in the Democratic Republic of the Congo, for its population and for the entire Great Lakes region. They also stressed the need to respect and comply with all the basic principles of democracy, human rights and rule of law, and to protect Congolese citizens. In this connection, they called for an inclusive, democratic and focused political dialogue leading to free, transparent and open elections in a peaceful political and social environment. Elections should coincide with the end of the incumbent President’s mandate, in order not to endanger the country’s democratic progress.

Members expressed concern over continuing human rights abuses, increasing political violence and a worsening context for basic freedoms, deemed crucial in a pre-electoral situation, including freedom of expression, association and assembly.

9. Improving participatory governance through decentralisation and strengthening local governance

Committee on Political Affairs

Co-rapporteurs: James Kembi-Gitura (Kenya) and Aymeric Chauprade

Arne Gericke (replacing Aymeric Chauprade) and Joyce Laboso (replacing James Kembi-Gitura (Kenya)) presented the report.

Speakers: Isabella Adinolfi, Francesc Gambus, Alpha Ousmane (Burkina Faso), Carlos Zorrinho, Agathon Rwasa (Burundi), Neena Gill, Peter Ježek, Tesfaye Daba Wákjría (Ethiopia), Worlea Saywah Dunah (Liberia), Bodil Valero, Ahamada Soukouna (Mali), Ousmane Kaba (Guinea), Amadou Dioffο (Niger), Jean-Luc Schaffhauser, Adjedoue Weidou (Chad), Davor Ivo Stier, Cécile Kashetu Kyenge, Louis H. Straker, Joachim Zeller, Amos Fish Mahlalela (South Africa), Doru-Claudian Frunzulică, Babiker Mohamed Toun (Sudan) and Domenico Rosa (European Commission).

During the debate, acting Co-President Michèle Rivasi ceded the chair to Cécile Kashetu Kyenge.

Members largely recognised subsidiarity as an important element of democratic governance, facilitating civic participation at local level. Decentralised government should be carefully designed and should include minorities, women and youth and take into account local needs. To ensure a sufficient degree of autonomy, local authorities should also be allocated the necessary means, both from direct financing from the central level and by being competent for raising taxes under their own responsibility. Members agreed that decentralisation can follow different models. Members from several ACP countries explained how decentralisation is implemented in their country. It was stressed that EU development aid should also reach and involve local entities and populations in programming, rather than relying exclusively on the central government.

Joyce Laboso (Kenya) wound up the debate.

10. Summary reports from the workshops

Norbert Neuser gave an oral report on the workshop on ‘Renewable Energy: Creating our sustainable future’. He noted that currently Namibia imported 66% of its energy and that it had adopted a rural electrification master plan, envisaging harnessing the huge potential for renewable energy, including biomass, wind and increased use of solar power.
Uladi Mussa (Malawi) gave an oral report on the workshop on ‘Conservancies as a tool to promote sustainable livelihoods’, which had provided first-hand information on Namibia’s community-based natural resource management which involves local communities in wildlife protection and tourism development and provides support to subsistence farmers and herders negatively affected by wild animals.

IN THE CHAIR: Michèle RIVASI
Acting Co-President

Speaker: Juan Fernando López Aguilar.

11. The impact of the drop in the price of oil and other strategic commodities on ACP economies

Speakers: Domenico Rosa (European Commission), Abdoulaye Touré (Côte d’Ivoire), Carlos Zorrinho, Ousmane Kaba (Guinea), Jean Christophe OwonoNguema (Gabon), Worlea Saywah Dunah (Liberia), Malament Lihasoa (Madagascar), Maria Heubuch, Adjedoue Weidou (Chad), Jean-Luc Schaffhauser, Amos Fish Mahlalela (South Africa), Michael Gahler, A Misiekaba (Suriname), Purmanund Jhugroo (Mauritius), Theodor D. Stoian, Jo Leinen and Michèle Rivasi.

Members discussed the impact of the sharp decrease in prices of raw materials, and oil in particular, on ACP countries, and highlighted their differing effects. The negative impact for oil-exporting countries and knock-on effects were highlighted, while some Members also pointed to the positive effects of cheaper imports. Most agreed that commodity price volatility was a risk to the stability of many ACP countries and that it once again demonstrated the need to diversify and upscale ACP economies to processing of raw materials and manufacturing and to reduce dependence on oil in both producing and importing countries in order to adapt to longer-term trends and climate change.

12. Urgent topic No 2: Rape and violence against women and children in armed conflicts

Speakers: Kristin de Peyron (European External Action Service), Davor Ivo Stier, Cécile Kassetu Kyenge, Arne Gericke, Pavel Telička, Adjedoue Weidou (Chad), Mémounatou Ibrahima (Togo), Bodil Valero, Amos Fish Mahlalela (South Africa), Laura Agea, Jean-Luc Schaffhauser, Purmanund Jhugroo (Mauritius), Krzysztof Hetman, Maria Noichl, Neena Gill and Michèle Rivasi.

Members condemned rape and violence against women and children, and called for stronger measures to protect potential victims, end impunity by bringing perpetrators to justice, combat stigmatisation of victims, and ensure the provision of medical, legal and psychological assistance and care to victims. The occasional involvement of peacekeepers in acts of sexual abuse was also addressed. Strongly divergent views were expressed on the question of the right of rape victims to have the option of safe abortion.

(The sitting closed at 18.51)
MINUTES OF THE SITTING OF WEDNESDAY, 15 JUNE 2016

(The sitting opened at 9.05)

IN THE CHAIR: Michèle RIVASI

Acting Co-President

1. Migration between ACP and EU Member States: causes, consequences and strategies for common management

Committee on Social Affairs and the Environment
Co-rapporteurs: Magnus Kofi Amoatey (Ghana) and Norbert Neuser

Magnus Kofi Amoatey (Ghana) and Norbert Neuser presented the report.

Speakers: Michael Gahler, Agathon Rwasa (Burundi), Alhagie Sillah (Gambia), Tesfaye Daba Wakjira (Ethiopia), Cécile Kasnetu Kyenge, Pavel Teščka, Ahamedou Soukouna (Mali), Bodil Valero, Amadou Diofio (Niger), Laura Agea, Adedouf Weedou (Chad), Jean-Luc Schaffhauser, Krzysztof Hetman, Amos Fish Mahlalela (South Africa), Pedro Silva Pereira, Babiker Mohamed Toum (Sudan), Francesc Gambus, Marlene Mizzi, György Hőlvenyi, Juan Fernando Lopez Aguilar, Ole Christensen, Kristin de Peyron (European External Action Service) and Domenico Rosa (European Commission).

Members highlighted the need to create safe and legal ways for migrants to enter the EU as the only efficient way of combating smuggling and trafficking. Root causes should be addressed in common by EU and African countries. Relocation within the EU should be much more effective, allowing for smoother integration and better possibilities for schooling, housing, and employment of asylum seekers. The German model was suggested as far as the approach to integration is concerned, and the Italian model for the internal relocation of migrants in small numbers to small communities.

The co-rapporteurs wound up the debate.

IN THE CHAIR: Netty BALDEH

2. The future of the ACP-EU partnership Post-Cotonou

Keynote debate

Adekeeye Adebaio, Director of the Centre for Conflict Resolution, introduced the debate.

Speakers: Davor Iv Stier, Tesfaye Daba Wakjira (Ethiopia), Ashneel Sudhakar (Fiji), Worlea Saywah Dunah (Liberia), Norbert Neuser, Javier Nart, Adekeeye Adebaio, Malement Lahosoa (Madagascar), Michèle Rivasi, A. Misiekaba (Suriname), Piernicola Pecinini, Jean-Luc Schaffhauser, Michael Gahler, Cécile Kasnetu Kyenge, Maria Heubuch, Purmanund Jhugroo (Mauritius), Krzysztof Hetman, Louis-Joseph Manscour, Carlos Zorrinho, Joe Koin (Papua New Guinea), Pedro Silva Pereira, Ole Christensen, Domenico Rosa (European Commission) and Kristin de Peyron (European External Action Service).

Members stressed that the partnership should continue to exist, based on a legally binding act. The consultative role of the Assembly should be reinforced. More synergies and coordination should be sought with other inter-regional players such as the African Union. The consultation process was ongoing, and should be extended to the national parliaments and civil society organisations (CSOs). CSOs should play a bigger role in the post-Cotonou partnership.

Adekeeye Adebaio responded to questions and wound up the debate.

IN THE CHAIR: Cécile Kasnetu KYENGE

3. Approval of the minutes of the afternoon sitting of Monday, 13 June 2016

The minutes were approved.

4. The changing face of conflict and global security threats — impact on global peace and stability

Debate with Joaquim Chissano, former President of Mozambique
Joaquim Chissano, former President of Mozambique, provided a full and lively picture on the evolution of security threats. Almost all wars in Africa are intra-state wars but globalisation and weakness of state structures have also allowed for non-state actors such as criminal or terrorist groups to threaten stability. The discussion focused on root causes of conflicts, including poverty and exclusion leading to radicalisation, lack of governance and corruption, climate change leading to scarcity of arable land and migration, illegal arms trafficking and weak legislation thereon.

Speakers: Michael Gahler, Alpha Ousmane (Burkina Faso), Cécile Kaschetu Kyenge, Javier Nart, Ahamada Soukouna (Mali), Ahdjoue Weidou (Chad), Bodil Valero, Amos Fish Mahlalela (South Africa), Joachim Zeller, Purmanund Jhugroo (Mauritius), Juan Fernando Lopez Aguilar and Kristin de Peyron (European External Action Service).

Members highlighted the success of security cooperation with the African Union through the African Peace Facility.

Joaquim Chissano responded to questions and wound up the debate.

(The sitting adjourned at 13.18 and resumed at 14.42)

IN THE CHAIR: Cécile Kaschetu KYENGE

Acting Co-President

5. Economy, trade and business in the Southern African region

Exchange of views with Calle Schlettwein, Minister of Finance (Namibia)

Calle Schlettwein, Minister of Finance (Namibia), made a presentation on Namibia’s development agenda in the context of the globalised trading arrangements. Classified by the World Bank as a middle-income country, Namibia is a small but open economy that enjoys robust economic growth which has helped reduce poverty but suffers from dependence on mineral commodities and erratic weather conditions, income inequalities and unemployment, as well as from a lack of skilled workers. The main outcome of the SADC-EU Economic Partnership Agreement (EPA), signed a few days prior to the meeting, is positive in particular as regards ‘duty-free quota-free’ exports from Namibia to the EU, but is challenging for other SADC developing countries.


Members showed interest in the experience of the Minister as the main Namibian EPA negotiator and enquired about the articulation between EPAs and regional integration processes in Africa, as well as about the provisions that developing countries should negotiate to avoid damage to their economy, namely safeguard clauses and lists of exceptions from liberalisation.

6. Approval of the minutes of the morning and afternoon sittings of Tuesday, 14 June 2016

The minutes were approved.

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

The Co-President reminded the Assembly of the voting procedures.

— Improving participatory governance through decentralisation and strengthening local governance

Committee on Political Affairs

Report by James Kembi-Gitura (Kenya) and Aymeric Chauprade
Amendment adopted: 1

The resolution thus amended was adopted unanimously.

— A continental free trade area for Africa — prospects for fostering intra-African trade and potential benefits for the ACP Committee on Economic Development, Finance and Trade

Report by Jean-Marie Bulambo (Democratic Republic of the Congo) and Marielle de Sarnez

Amendment adopted: 1

A split vote and a separate vote by separate houses on paragraph 3 were requested by the ALDE and the ECR Groups, and the whole paragraph was adopted.

The resolution thus amended was adopted unanimously.

— Migration between ACP and EU Member States: causes, consequences and strategies for common management

Committee on Social Affairs and the Environment

Report by Magnus Kofi Amoatey (Ghana) and Norbert Neuser

Amendments adopted: 1, 2, 3, 4, 5, 6 and 7

A vote by separate houses on amendments 1, 3, 4, 5 and 7 was requested by the EPP Group, and all amendments were adopted.

A separate vote by separate houses on paragraphs 30 and 31 and citation 29 was requested by the EPP Group, and all paragraphs were adopted.

A vote by separate houses on paragraph 18 was requested by the S&D Group, and paragraph 18 was rejected by EP Members.

The resolution thus amended was adopted with 50 votes in favour and 7 abstentions.

8. Vote on the urgent motions for resolutions

— The pre-electoral and security situation in the Democratic Republic of the Congo

No amendments were tabled.

The resolution was adopted unanimously.

— Rape and violence against women and children in armed conflicts

A separate vote by separate houses on paragraph 8 and recital G was requested by the EPP Group, and both paragraph 8 and Recital G were adopted.
Amendments rejected: 1, 2 and 3

A vote by separate houses on amendments 1 and 3 was requested by the S&D and the Greens/EFA Groups, and both amendments were rejected.

The resolution thus amended was adopted with 50 votes in favour, 3 against and 4 abstentions.

9. Any other business

None

10. Date and place of the 32nd Session of the Joint Parliamentary Assembly

The 32nd Session of the Joint Parliamentary Assembly will take place from 19 to 21 December 2016. The venue will be communicated at a later stage.

The Co-President thanked the Namibian authorities for the effective organisation of the session, and the Members and the co-secretariat for their contribution.

(The sitting closed at 16.00)

Netty BALDEH
Cécile Kashetu KYENGE (Acting)
Co-Presidents

Leonard-Emile OGNIMBA (Acting)
Luis Marco AGUIRANO NALDA
Co-Secretaries-General
### ANNEX I

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

<table>
<thead>
<tr>
<th>ACP representatives</th>
<th>EP representatives</th>
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<td>BALDEH (GAMBIA), Co-President</td>
<td>MICHEL, Co-President</td>
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(*) With observer status.

**COMMITTEE ON POLITICAL AFFAIRS**

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COMMITTEE ON ECONOMIC DEVELOPMENT, FINANCE AND TRADE

ACP Members

Forde (TRINIDAD AND TOBAGO, replacing the Co-Chair)

EP Members

FERRARA, Co-Chair

ESTARÀS FERRAGUT, VC

MANS Cour, VC

ARENA

BAY

CAMPBELL BANNERMAN

DE SARNEZ

DELAHAYE

FLAŠÍKOVÁ BEŇOVÁ

FLORENZ

GRIESECK

HANNAN

MIZZI

MUSELIER

NEGRESCU

OMARJEE

PAPADIMOULIS

PEDICINI

PUNSET

ROSATI

SALVINI

SARGENTINI

SCHREIJER-PIERIK

STOLOJAN

THOMAS

WENTA

(*) With observer status.

COMMITTEE ON SOCIAL AFFAIRS AND THE ENVIRONMENT

ACP Members

GIDLOW (SAMOA, replacing the Co-Chair)

EP Members

RIVASI, Co-Chair

AGEA, VC

MUSSOLINI, VC

ALIOT

BEARDER

CHRISTENSEN

FERREIRA

GARDIAZÁBAL RUBIAL

GERICKE

GERINGER DE OEDENBERG
ACP Members

NAIB (ERITREA)
OWONO NGUEMA (GABON)
SILLAH (GAMBIA)
AMOATEY (GHANA)
GRENADE
MALEMENT (MADAGASCAR)
MUSSA (MALAWI)
SOUEID AHMED (MAURITANIA)
MICRONESIA (FEDERATED STATES OF)
NAMUTENYA CALEY (NAMIBIA)
KORE HASSANE (NIGER)
PALAU
PAPUA NEW GUINEA
POOL (SEYCHELLES)
BUNDU (SIERRA LEONE)
SOMALIA
D Lamini (SWAZILAND)
VANUATU

EP Members

GIUFFRIDA
HERRANZ GARCÍA
HETMAN
HEUBUCH
MARUSIK
MCavan
NART
NEUSER
NOICHL
ROLIN
SENRA RODRÍGUEZ
STIER
VAIDERE
WIŚNIEWSKA
ZABORSKA
**ANNEX II**

**RECORD OF ATTENDANCE AT THE SESSION HELD IN WINDHOEK (NAMIBIA) FROM 13 TO 15 JUNE 2016**

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<th>Name</th>
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<tr>
<td>BALDEH (GAMBIA), Co-President</td>
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Adolf Adinolfi

Agea

Arena (1) (2)

Christensen

Czarnecki

Frunzulica

Gahler

Gambus

Gericke

Gill

Hetman

Heubuch

Holvenyi

Ježek

Karski

Kyenge

Legutko (1) (2)

Leinen

Lopez Aguilar (VP) (1) (2)

Manscour (VP)

Mizzi

Nart (VP)

Neuser

Noichl

Pedicini (VP)

Piecha (1) (2)

Schaffhauser

Schuster (1) (2)

Silva Pereira

Stier

Stolojan

Telička

Valero

Zeller

Zlotowski (1) (2)

Zorrinho
MOSE (SALOMON ISLANDS)
HASAN (SOMALIA) (VP)
MAHALALELA (SOUTH AFRICA)
TOUM (SUDAN) (VP) (*)
MISIEKABA (SURINAME) (VP)
DLAMINI (SWAZILAND)
FILIPÉ (TIMOR LESTE)
IBRAHIMA (TOGO) (VP)
FORDE (TRINIDAD AND TOBAGO)
TAUSI (TUVALU)
OULANYAH (UGANDA)
TCHAMAKO MAHE (VANUATU)
KABWE (ZAMBIA)
SHUMBA (ZIMBABWE)

(*) Present on 13 June 2016.
(*) Present on 14 June 2016.
(*) Present on 15 June 2016.
(*) With observer status.

Also present:

ANGOLA
XIRIMBIMBI
TEIXEIRA
BERNARDO
SIMBRAO DE CARVALHO

BARBADOS
CHANDLER

BELIZE
VERNON
BORLAND

BENIN
AHONOUKOUN
DJIMAN
KASSA
ALLAGBE
GBENONCHI

BOTSWANA
NGAKA
MODISE

BURKINA FASO
SOME
COMPAORE
LANKANDE

BURUNDI
NAHAYO
HAKIZIMANA
SUKNUBA
BARAMPAMA
UWIMANA
BANIGWANIZIGO

CAPE VERDE
ANDRADE

CAMEROON
OWONA KONO
AWUDU MBAYA
DAOUDE

CENTRAL AFRICAN REPUBLIC
NOUGANGA

COMORES
OMAR

CONGO (REPUBLIC OF THE)
DOUMA
EKUIR MINKO

CONGO (DEMOCRATIC REPUBLIC OF THE)
MABAYA GIZI AMINE
KILOSHO BULAMBO
MOLIWA MOLEKO
MAKA BASIALA
KATUMWA
INIER LATEBO EKWA
KILUFYA KANFWA
LUBINGA
MUKENDI KABAMBI
AIMA TSHANDIA
SILUVANGI LUMBA
NGINDU KABUNDI BIDUAYA
ENGUNDA LITUABA
BULAMBO KILOSHO

CÔTÉ D’IVOIRE
FLANIZARA TOURÉ
COULIBALY
SANGA TOURÉ

CUBA
DURÁN
SAMOA
LUTERU

SENEGAL
TALL
BALLA LO
DIALLO

SEYCHELLES
PILLAY

SIERRA LEONE
LEWALLY
KUYEMBEH
SORIE
BANGALI

SOLOMON ISLANDS
MOSES MOSE
FAYE MOSE

SOMALIA
IBROW
FAQI

SOUTH AFRICA
MAMPURU
BERGMANN
ROTHKEGEL

SUDAN
AHMED
ABU-AGLA
AL-HILOU
ATEM
ABDELRAHMAN

SURINAME
NELSON

SWAZILAND
NHLEKO

TCHAD
ADIJ
TEKILIO
AFONO

TIMOR-LESTE
FILIPE

TOGO
ABIGUIME
TIGNOKPA
FABRE
LAWSON

TRINIDAD & TOBAGO
BROOKS

TUVALU
LEUELU

UGANDA
KIWANDA
NABBANJA
BAOOLE

VANUATU
JOY

ZIMBABWE
ZINDI
MLOTSHWA
CHIFAMBA

ACP COUNCIL
INGRID OLGA EBOUKA BABAKAS, Minister of Planning, Statistics and Regional Integration (Republic of the Congo), President-in-Office of the ACP Council

EU COUNCIL
LILIANNE PLOUMEN, Minister for Foreign Trade and Development Cooperation (the Netherlands), President-in-Office of the EU Council

EUROPEAN COMMISSION
NEVEN MIMICA, Member of the Commission with responsibility for international cooperation and development

EUROPEAN EXTERNAL ACTION SERVICE
DE PEYRON, Head of Division, Pan-African Affairs

EUROPEAN ECONOMIC AND SOCIAL COMMITTEE
VERBOVEN

ACP SECRETARIAT
OGNIMBA (Acting Co-Secretary-General)

EU SECRETARIAT
AGUIRIANO NALDA, Co-Secretary-General
RESOLUTION (1)
on improving participatory governance through decentralisation and strengthening local governance

The ACP-EU Joint Parliamentary Assembly,

— meeting in Windhoek (Namibia) from 13 to 15 June 2016,

— having regard to Article 18(1) of its Rules of Procedure,

— having regard to the Treaty on European Union, as revised by the Treaty of Lisbon, adopted on 13 December 2007, and in particular Article 3(b) thereof,

— having regard to the Protocol to the Treaty on European Union on the application of the principles of subsidiarity and proportionality, and in particular Articles 2 and 5 thereof,

— having regard to the Protocol to the Treaty on European Union on services of general interest, and in particular Article 1 thereof,

— having regard to the Cotonou Partnership Agreement between the EU and ACP countries signed on 23 June 2000 in Cotonou and revised in Luxembourg on 25 June 2005 and in Ouagadougou on 22 June 2010, and in particular Article 1, Article 2, Article 5, Article 8, Article 9, Article 20, Article 33(3)(f) and (4)(d), and Article 5(4) of Annex IV thereto,

— having regard to the European Parliament resolution of 6 October 2015 (2) on the role of local authorities in developing countries in development cooperation,

— having regard to the European Charter on development cooperation in support of local governance, approved by the EU Council of Ministers on 10 November 2008,

— having regard to the EU Council conclusions of 22 July 2013 on local authorities in development,

— having regard to the Commission communication of 15 May 2013 entitled ‘Empowering local authorities in partner countries for enhanced governance and more effective development outcomes’,

— having regard to the opinion of the Committee of the Regions of 22 April 2009 entitled ‘Local authorities: actors for development’,

— having regard to the 2014 Port Moresby Declaration on Pacific Futures: Building our Local Communities,

— having regard to the Port of Spain Declaration of the Caribbean Forum of Local Government Authorities,

— having regard to the UN Convention on the Rights of the Child,

— having regard to the UN Convention on the Elimination of all Forms of Discrimination Against Women,

(1) Adopted by the ACP-EU Joint Parliamentary Assembly on 15 June 2016 in Windhoek (Namibia).
— having regard to the UN Convention on the Rights of Persons with Disabilities,

— having regard to the United Nations General Assembly resolution (3) of 25 September 2015 entitled ‘Transforming our
world: the 2030 Agenda for Sustainable Development’, and in particular Sustainable Development Goal No 16.7
‘Ensure responsive, inclusive, participatory and representative decision-making at all levels’,

— having regard to the outcomes of the 21st Session of the Conference of the Parties to the United Nations Framework
Convention on Climate Change (COP21),

— having regard to the resolution (4) adopted on 26 September 2013 by the United Nations General Assembly Human
Rights Council on local government and human rights,

— having regard to the UN Universal Declaration of Human Rights,

— having regard to Decision No 25 of the African Union Assembly (5) of 30 January 2007 to transform the All-Africa
Ministerial Conference on Decentralisation and Local Development (AMCOD) into an organ of the African Union,

— having regard to the resolution adopted by the ministers in charge of decentralisation and local development at the 2nd
Africités summit in Windhoek,

— having regard to the declaration adopted by the ministers in charge of decentralisation and local development at the 3rd
Africités summit in Yaoundé,

— having regard to the Yaoundé Declaration of 29 October 2005, urging African Governments ‘to undertake concerted
and coordinated action to place decentralisation and local development at the centre of governance and development
policies of their countries’,

— having regard to the Joint Africa-Europe Strategy (JAES) adopted by the Heads of State and Government at the second
EU-Africa Summit in 2007,

— having regard to the resolution of the United Nations Economic and Social Council (6) of 29 January 2007 entitled
‘Participatory governance and citizens’ engagement in policy development, service delivery and budgeting’,

— having regard to the conclusions of the internet Governance Forum 2015 and of the World Summit on the
Information Society 2015,

— having regard to the International Guidelines on Decentralisation and Strengthening of Local Authorities, approved by
the United Nations Human Settlements Programme (UN-HABITAT) on 20 April 2007,

— having regard to the African Charter on Democracy, Elections and Governance, adopted by the African Union in
January 2007, in particular the Preamble, Article 3 and Article 34 thereof,

— having regard to the African Charter on the Values and Principles of Decentralisation, Local Governance and Local
Development, adopted on 27 June 2014,

— having regard to the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa,
adopted on 11 July 2003, in particular Article 9 thereof,

— having regard to the establishment of the ACP Local Government Platform in May 2001 during the 35th World
Conference of the International Union of Local Authorities (IULA) held in Rio de Janeiro,

— having regard to the Joint ACP-EU Declaration on the Post-2015 Development Agenda of 20 June 2014,

— having regard to the report of the Committee on Political Affairs (ACP-EU/101967/16),

(3) A/RES/70/1
(4) A/HRC/RES/24/2
Development into a Structure of the African Union — Doc. Assembly/AU/9 (VIII) Add.5 1 — See more at: http://www.au.int/en/
decisions/assembly-african-union-eighth-ordinary-session
(6) E/C.16/2007/2
A. whereas local governance is a set of institutions, mechanisms and processes through which citizens can express their interests and needs, mediate differences and exercise their rights and obligations at local level;

B. whereas decentralisation may take various forms, such as deconcentration, where administrative power is transferred from a central authority to local authorities; delegation, where responsibility for specific defined functions is assigned to a delegated authority; and devolution, where two or more levels of government with constitutionally or legally assigned powers, functions and finances are created;

C. whereas public-sector reforms involving both vertical and horizontal decentralisation are premised on having people-centred development that focuses on empowering people to participate in governance and improving the quality of their lives;

D. whereas participatory governance at local level must be ensured and structured to improve the organisation of a state in order to strengthen the quality of democracy, social justice, economic, social and civic development and the protection of fundamental freedoms and human rights;

E. whereas public participation in decision-making processes promotes the protection of interests of minorities and marginalised groups, and ensures correct, transparent and accountable governance and sustainable development;

F. whereas the Millennium Development Goals highlighted the crucial role of local authorities in the fight against poverty and in the delivery of community services, such as water and sanitation, primary healthcare and education;

G. whereas decentralisation should allow equal access to public roles and the renewal of the political class by promoting the exercise of participatory governance by women and the younger generations;

H. whereas decentralisation contributes significantly to bringing equity through equitable distribution of resources to underdeveloped and marginalised areas and to affording people the opportunity to take decisions on matters affecting them;

I. whereas decentralisation reform and power transfer should be based on the principle of subsidiarity in order to ensure better governance, where decisions are made at the lowest possible level, and whereas under subsidiarity central units should only intervene at local level where it proves to be necessary and when they are able to act more effectively than decentralised units;

J. whereas democratic governance includes not only national governments but also decentralised units and non-state actors, who play crucial roles in linking citizens with government and in ensuring broad-based and democratic ownership of countries’ public policies; whereas decentralised units are a strong interface between communities and national authorities which enables grassroots democracy on the basis of local-community involvement and its democratic expression;

K. whereas decentralised units enjoy a certain degree of autonomy from central governments within their territorial constituency depending on national legislation, in order to legislate in specific domains and to provide public services to citizens at local level;

L. whereas good governance at local level is characterised by the quality, effectiveness and efficiency of local administration and public service delivery; the quality of local public policy and decision-making procedures, their inclusiveness, their transparency and their accountability; and the manner in which power and authority are exercised at local level;

M. whereas a real transfer of political power from central government and fiscal decentralisation benefiting decentralised units contribute to the financial autonomy of the latter;
N. whereas decentralisation may not succeed in situations where public institutions are weak and lacking in capacity, which may lead to the transfer of these inefficiencies to the local level;

O. whereas a vibrant and active civil society, with freedom of expression and association, is crucial for effective, transparent and accountable local government and good decentralised governance;

P. whereas in the absence of effective monitoring and oversight mechanisms at the local, regional and national level, decentralisation could result in corruption, wastage of public funds and uncontrolled borrowing, which in turn negatively affect national budgets and governance;

Q. whereas there is a need for continuous engagement and consultation between the central government and decentralised units, particularly in the conception, design and implementation of projects and programmes by one level of government which may directly or indirectly affect the functions of the other level of government;

R. whereas women are overwhelmingly underrepresented in governance structures and the political sphere, and democracy and good governance can only be achieved through gender equality and more equal representation, which decentralisation must promote;

S. whereas the Busan Partnership provides an expanding forum for new development actors, such as local and regional actors;

T. whereas information and communication technologies (ICT) create many new avenues for political participation, e-inclusion, transparency and accountability in decentralised governance;

1. Urges the ACP and EU states to promote decentralisation as a way of improving development, creating new wealth at local and regional level, promoting democratic and accountable exercise of power, fostering national unity by recognising diversity, giving powers of self-governance to the people so as to enhance their participation in the exercise of the powers of the state and in making decisions affecting them, recognising the right of communities to manage their own affairs and to further their development, protecting and promoting the interests and rights of minorities and marginalised communities, and ensuring equitable sharing of national and local resources;

2. Strongly believes that decentralisation and participatory governance at local level should be designed to maximise social justice in order to make sure that all socioeconomic inequalities are effectively addressed in the decision-making processes;

3. Stresses that the new guidelines set out in the Commission’s communication on local authorities and on recognising their role as state actors represent a major step forward for the European Union’s development agenda; underlines the need for these new guidelines to be translated into the effective implementation of European cooperation, in particular for the 11th European Development Fund (EDF);

4. Recalls that the decentralisation process contributes to the improvement of participatory governance through strengthening ownership, multi-stakeholder and multi-actor dialogues, by programme and policy coordination at sub-national level;

5. Calls on the ACP and EU states, in cooperation with ACP regional integration bodies, to promote a comprehensive approach to decentralisation, and to strengthen the role of local communities, community-based organisations and NGOs to influence and monitor decentralisation reform processes; calls on the EU and the ACP states to set up mechanisms for regular dialogue with civil society organisations to this effect;

6. Calls on the EU and ACP states to promote decentralised cooperation as a way of implementing the development framework post 2015; to this end, calls on the Commission to make decentralisation a key funding sector for its external aid financing instruments; calls on EU Member States to accord an appropriate role in their development programmes to decentralisation and to coordinate their activities with those of the Commission, other Member States and ACP countries and regional organisations;
7. Stresses the important role of the African Union, in particular AMCOD, in the development of decentralisation policies;

8. Recognises that coordination structures between local authorities play an essential role in terms of providing technical and methodological support for the development of local capacities by facilitating the exchange of know-how in order to support the decentralisation process and the provision of basic services; considers that they are also a suitable forum for political dialogue and for making the voice of local authorities heard at all levels of government;

9. Urges the EU and ACP states to take steps to strengthen the participation of women, local cultures, indigenous peoples and minorities, including by strengthening the capacity of these groups to participate in local and regional development and investment planning, and encourages the creation of local consultation platforms for policy-making process;

10. Stresses the need to secure the broad involvement of civil society organisations, local authorities and national authorities, in order to ensure correct, transparent and accountable governance;

11. Stresses that an effective decentralisation process requires public-sector reforms, such as the transfer of power, functions and resources, as well as the pluralism of political actors and the active participation of citizens directly and through their representatives in participatory planning and budgeting;

12. Urges the competent authorities to adopt measures to promote a stronger justice administration which, together with the tax agencies, should have mechanisms to fight corruption (sufficient funding, anti-fraud mechanisms and authorities, etc.);

13. Underscores the need to create modalities for enhancing public participation through civic education to build the capacity of all citizens on their rights and obligations in good governance; calls for the establishment of partnership arrangements between local authorities in EU and ACP states in areas such as training and human capacity, providing technical and methodological support for the development of local capacities and facilitating the exchange of know-how; insists on the importance of life-long learning, formal, non-formal and informal citizenship education, and inter-cultural dialogue, in giving citizens the tools to participate in local governance and in building a vibrant civil society sector;

14. Recalls that freedom of speech and freedom of the media must be ensured to enable free, fair and open public participation in local governance by all citizens, regardless of their communities and groups;

15. Calls for regular, transparent, free and fair elections to be held in order to institutionalise the legitimate authority of representative local bodies and their democratic changeover, and to ensure better implementation of grassroots democracy;

16. Urges national authorities to ensure an equitable transfer of their national budget resources to decentralised units, sub-regions, towns and municipalities; stresses, to this end, that greater support should be given to strengthening the capacity for the good management of public assets and the financial and budgetary capacities of decentralised units so that they can provide high-quality public services, guarantee equality of opportunity and build social cohesion; calls on the Commission to encourage the mobilisation of innovative sources of financing for decentralised cooperation, including loan-grant blending instruments tailored to the specific needs of decentralised units;

17. Stresses the paramount importance of focusing more closely on harnessing tax resources at both national and local level in developing countries; welcomes the gradual introduction of local finance observatories; considers that these observatories deserve greater support from the European Union;
18. Stresses that decentralisation should be an effective means of fighting corruption at all levels, including corruption originating from multinational companies; urges the EU and ACP states and regional bodies to prioritise the identification of governance weaknesses that may cause decentralisation to result in corruption, including tax evasion and illicit financial flows, and to take effective measures to prevent negative consequences; calls therefore for adequate support for monitoring capacities and the strengthening of the rule of law in order to counter these severe problems;

19. Underlines the importance of promoting decentralisation in order to address issues such as waste management and urban poverty, tackling social exclusion, reducing inequalities, empowering citizens, fighting gender inequality, innovative infrastructure design, service provision, land management, reducing risks of natural disasters and energy use, etc.;

20. Welcomes the mobilisation and commitment of ACP and EU cities in the preparations for the Habitat III United Nations Conference on Housing and Sustainable Urban Development;

21. Stresses that climate change and environmental degradation threaten poverty reduction and constitute a major challenge for local authorities, as they affect local communities in the first instance; calls on the EU and ACP states and regional bodies to ensure that decentralised units are fully involved in the implementation of the Paris Climate Agreement;

22. Calls on the ACP and EU states to promote the application of the principle of subsidiarity between national and decentralised units, and of equitability as a more effective way to act at local level;

23. Recognises the inappropriateness of a uniform model of decentralisation for all countries, and calls for respect for cultures and traditions and for the inherent inventiveness of people;

24. Stresses the importance of promoting good governance at local level by promoting the principles of accountability, transparency, participation and responsiveness, and by ensuring that the rule of law is upheld and that human rights and fundamental freedoms are respected;

25. Highlights the need for incorporation of ICT into local governance wherever possible, and for undertaking initiatives to promote e-literacy and access to technology and the internet;

26. Recognises the crucial role of local authorities in fighting radicalisation and terrorism; calls on the EU and ACP states and regional bodies to ensure that local authorities can play a central role in promoting integration between communities and preventing radicalisation or other forms of marginalisation; calls for the establishment of a mechanism for the exchange of know-how in this field between EU and ACP states;

27. Underlines the crucial role of local governance in the context of post-conflict reconciliation, as local authorities are the first enabler in re-establishing the presence of the state at local level and responding more effectively to local conditions, and in preventing conflict by managing inter-group tensions, increasing representation and participation and improving service delivery;

28. Stresses the importance of including women, young people and people with disabilities and the most vulnerable people as well as all persons regardless of their cultural and socioeconomic backgrounds in the political and administrative decision-making process and enabling their full participation and representation at all levels of governance, especially at the local level; calls for the implementation of gender equality on a parity basis;

29. Insists that decentralisation must be an opportunity to tackle gender inequalities and to increase the representation and visibility of women in decision-making in the political and economic spheres;

30. Considers that decentralisation must enable and facilitate participation in local governance by young people, who must be represented in decision-making;
31. Urges the competent authorities to eliminate any duplication in state administration and to avoid overlapping 
competences between local and regional government;

32. Stresses the need to strengthen e-administration and channels resulting from new technologies in order to create more 
transparent administration, thus preventing all forms of malpractice, facilitating access for citizens and ensuring 
accountability;

33. Calls for enhanced cooperation between ACP and EU states and ACP regional organisations such as the AU, CARICOM 
and the PIF in establishing and strengthening the capacity of oversight mechanisms over resources devolved to 
decentralised units to combat corruption and stem waste; stresses that international cooperation to tackle illicit 
financial flows should be stepped up to ensure a level playing field in the area of taxation of local and international 
companies;

34. Stresses the importance of establishing, as part of ACP-EU cooperation, a genuine political dialogue among local 
authorities that would make it possible to assess current progress, difficulties and prospects for improving the 
effectiveness of assistance at local level;

35. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council of Ministers, the European Parliament, the 
European Commission, the African Union, the Organisation for Security and Cooperation in Europe, the regional 
organisations of the ACP states and the Secretary-General of the United Nations.

RESOLUTION (1)

on a continental free trade area for Africa — prospects for fostering intra-African trade and potential 
benefits for the ACP

The ACP-EU Joint Parliamentary Assembly,

— meeting in Windhoek (Namibia) from 13 to 15 June 2016,

— having regard to Article 18(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), in particular Article 21 thereof, and revisions of the Cotonou Agreement in 
2005 and 2010 (3),

— having regard to its resolutions of 19 February 2004 on Economic Partnership Agreements (EPAs): Problems and 
2009 on Economic Partnership Agreements and their Impact on ACP States (6), and of 19 June 2013 on Economic 
Partnership Agreements — Next Steps (7),

— having regard to its resolution of 19 March 2014 on Regional Integration and Modernisation of Customs for 
Sustainable Development in ACP countries, in Cooperation with the EU (8),

(1) Adopted by the ACP-EU Joint Parliamentary Assembly on 15 June 2016 in Windhoek (Namibia).
(3) OJ L 287, 4.11.2010, p. 3.
(4) OJ C 120, 30.4.2004, p. 16.
(8) OJ C 345, 2.10.2014, p. 28.
— having regard to the Commission communication of 27 January 2012 entitled ‘Trade, Growth and Development: Tailoring Trade and Investment Policy for those Countries most in Need’ (COM(2012) 22 final),


— having regard to the final document of the Post-2015 Development Agenda entitled ‘Transforming our world: the 2030 Agenda for Sustainable Development’ adopted by the United Nations General Assembly in September 2015,

— having regard to the third UN International Conference on Financing for Development held in Addis Ababa on 13-16 July,


— having regard to the Organisation of African Unity (OAU) Charter adopted in Addis Ababa on 25 May 1963,

— having regard to the Constitutive Act of the African Union adopted in Lomé, Togo, on 11 July 2000,

— having regard to the decision of 22 October 2008 of the Tripartite Summit of Kampala to establish a free trade area between the Common Market for Eastern and Southern Africa (COMESA), the Southern African Development Community (SADC) and the East African Community (EAC),

— having regard to the Abuja Treaty of 3 June 1991 establishing the African Economic Community, in particular Articles 6 and 88 thereof,

— having regard to the decision of the 18th Session of the Assembly of the African Union held in Addis Ababa from 23 to 30 January 2012,

— having regard to the action plans for the economic development of Africa adopted in 1980 and 2012 in Lagos,

— having regard to Agenda 2063 launched on the 50th anniversary of the African Union in May 2013 in Addis Ababa and adopted at the 24th ordinary session of the African Union Assembly in Addis Ababa on 31 January 2015,

— having regard to the 22nd summit of African Union Heads of State on 30 and 31 January 2014,

— having regard to the decisions of the Third Tripartite Summit held in Sharm el-Sheikh from 6 to 10 June 2015,

— having regard to the 2013 United Nations Conference on Trade and Development (UNCTAD) report on Intra-African Trade: Unlocking Private Sector Dynamism,

— having regard to the World Economic Forum’s 2015 Africa Competitiveness Report,
A. whereas the establishment of a continental free trade area (CFTA) for Africa is the expression of the political will of the heads of State of the African Union meeting in Addis Ababa in 2012;

B. whereas the CFTA is recognised in the African Union's Agenda 2063 as an important milestone on the way to the ultimate goal of creating an African Common Market and the realisation of an African Economic Community as envisaged in the Abuja Treaty and the Constitutive Act of the African Union;

C. whereas Africa’s share of global trade is very low — standing at around 3% — and Africa remains the continent that trades the least with itself, with intra-continental trade making up only approximately 12% of African trade, versus around 55% in Asia and more than 70% in Europe;

D. whereas in June 2015 the African Union officially launched the negotiations for the establishment of the CFTA by 2017, which should be followed by the creation of an African Customs Union by 2019;

E. whereas the CFTA will foster closer intra-African economic, trade and cultural relations and increase supply capacity and competitiveness between African, Caribbean and Pacific countries and with the European Union;

F. whereas the boost in intra-African trade will have to benefit all Africans and help Africa become an integral part of global trading systems;

G. whereas development-oriented regionalism can have spillover benefits in terms of fostering peace, security and political stability on the continent;

H. whereas the conclusion of the CFTA requires a harmonisation of the many and various trade commitments undertaken by the majority of African countries at the multilateral, regional and bilateral levels;

I. whereas the structural mismatch between the domestic supply and demand of goods and services means all too frequently having recourse to costly imports;

J. whereas cross-border trade takes place between countries often inhabited by the same peoples, but these significant flows are not accounted for in trade between African States;

K. whereas this parallel economy evades state taxation and hinders efforts to support and develop the private sector;

L. whereas fraud, contraband, tax evasion and tax exemptions deprive states of financial resources, states which may already be affected by a reduction in customs duties due to the liberalisation of trade; whereas the colossal amount of illicit financial capital flowing out of the African continent is an obstacle to its growth and development;

M. having regard to the added value of major integration projects with multiplier effects, such as the schemes to combat the drying out of Lake Chad, to extract methane gas from Lake Kivu and to exploit the hydro-electric potential of the Congo river basin and of the Inga site in the DRC;

1. Notes that the CFTA will eventually include 54 African countries, representing a combined GDP of USD 1.2 trillion, constitute a market of more than one billion people by 2050 and increase intra-African trade by as much as USD 35 billion per year;
2. Regrets that currently only 12% of African trade flows are internal, and insists on the necessary promotion of intra-continental trade by taking down tariff and non-tariff barriers and tackling the current fragmentation of the African market; recalls that increased trade flows should help in the short and medium terms to increase Africa's GDP by an estimated 4.5 to 5%.

3. Stresses the need to support regional integration processes in Africa in order to build economic resilience and protect the continent's economies from external shocks; considers that this growth through regional trade, due in particular to cooperation and the South-South technology transfer, should be used to better reallocate resources and reduce inequalities in development on the African continent; to this effect, insists upon involving citizens and other stakeholders in frank and open discussions to reach consensus on the strategy to follow regarding the promotion of national public-policy interests.

4. Points out that the link between trade liberalisation and poverty reduction is by no means automatic and that the CFTA will only make a sustainable contribution to improving the quality of life of Africans if it entails an ambitious development policy, otherwise the deep-rooted inequalities across the continent will remain unchecked.

5. Considers that the CFTA should be implemented gradually, by federating the various free trade areas and economic communities already in existence, namely the conclusion of the tripartite agreement between the SADC, the COMESA and the EAC.

6. Deems that a favourable international environment is also needed to complement the intra-African regional economic integration process, including by granting Africa greater representation and participation in decision-making in international financial, trade and development institutions; calls on the EU to support African countries in these requests so as to enable them to participate equally in the global reform of existing international rules.

7. Calls for a boosting of the economic development and innovation capacity of Regional Economic Communities (RECs), whose integration and experience will undoubtedly be a source of inspiration for the realisation of the CFTA.

8. Points out that Africa's RECs are expected to trade with the rest of the world under various international trade regimes, namely duty-free, quota-free (DFQF) access for least-developed countries (LDCs), and General System of Preferences or reciprocal free trade agreements for non-LDCs; stresses the need for African countries to consolidate existing market access schemes into one that is consistent with a CFTA in order to foster regional integration and trade diversification; against this background, deems it essential to ensure that Economic Partnership Agreements (EPAs) help foster the realisation of the CFTA.

9. Stresses the importance of the democratic oversight of national parliaments and civil society, both in monitoring the implementation of EPAs and in the process of establishing a CFTA for Africa; therefore calls for their systematic involvement in ongoing work, as part of a participatory approach and in the hope of ensuring maximum transparency.

10. Recalls that enhanced market access without the capacity to produce goods and services will fail to produce economic development; henceforth, demands that the CFTA adjust as a matter of priority the structural deficit of African supply of goods and services in relation to demand in order to effectively impact trade; in addition, calls on the EU to support existing regional integration initiatives, including CFTA, through the tool of Aid for Trade, which should help to facilitate the establishment or development of domestic productive capacity, reduce income inequality in Africa and assist with economic diversification and technology transfers.

11. Calls on African governments to further enhance intra-African trade by creating the proper regulatory framework for trade; underlines the importance of harmonisation of national laws, investment in trade-related infrastructure and efficient trade facilitation.

12. Calls for the CFTA to help to restore, consolidate and develop Africa's economic fabric so as to enhance market integration, industrial production and competitiveness, improve trade, invest in infrastructure and boost consumption by bolstering purchasing power.

13. Stresses the importance of innovation for stimulating production, particularly of the primary sector and its distribution network.
14. Believes that the CFTA should be a driving force for the implementation of major cross-border projects — on transport and communications infrastructure or the electrification of the continent, for example — so as to ensure better links between neighbouring states and major cities and promote new development opportunities;

15. Hopes that the CFTA will enable Africa to engage in the sustainable exploitation and management of its natural resources, which, combined with favourable demographics, will contribute to economic growth and a reduction in the development gaps between African countries through the redistribution of wealth; to this end, calls on African States to increase transparency and accountability in resource contracts, companies’ financial reporting and auditing; calls likewise on the EU to upgrade its support to helping resource-rich countries to implement the Extractive Industries Transparency Initiative (EITI) principles of greater transparency and accountability in the oil, gas and mining sectors;

16. Recalls that the private sector provides 90% of jobs in developing countries, including in Africa; believes that the CFTA can create new opportunities for African businesses by creating the necessary conditions and environment for entrepreneurship, investment and job creation; urges that particular attention should be paid to SMEs and SMIs — the warp and woof of a dynamic and varied local economy — in particular through the creation of priority growth areas;

17. Wishes to see the implementation of a practical policy to assist local SMEs, SMIs and youth-owned projects and companies by tax breaks and support from accounting and tax experts and approved management consultancies in order to develop their capacity to create wealth and jobs;

18. Acknowledges that tax incentives usually granted by African countries to attract FDI in extractive industries deprive them of critical financial resources; accordingly, believes that taxation policies related to the extractive industries must be revised in order to protect the socioeconomic interests of the host countries; urges the EU to ensure a fair distribution of tax rights while negotiating tax and investment treaties with developing countries; to this end, calls on the EU to negotiate Tax Treaties with developing countries based on the model treaty of the United Nations Tax Committee, which gives stronger rights to taxation at source; in addition, recalls the EU’s responsibility to combat tax rules that facilitate tax dodging by transnational corporations and individuals and to help third countries to repatriate illicit funds and prosecute perpetrators;

19. Takes the view that the CFTA must boost not only intra-African trade in goods and services but also freedom of movement for capital and persons;

20. Calls for swift, concrete measures to be taken to offset the fall in budget revenue as a result of the removal of customs barriers and to preserve local production markets;

21. Stresses that access to finance in Africa is still too limited and that in order to remedy this situation, new and innovative solutions must be devised within the framework of the CFTA;

22. Is convinced that the agricultural sector can be a powerful vector of support in establishing the CFTA for Africa, as long as liberalisation is accompanied by market rules able to protect small producers; calls, therefore, on African states to honour the commitment they made in 2003 in Maputo to allocate at least 10% of their national budgets to farming;

23. Recalls that agriculture constitutes 37% of Africa’s GDP, with smallholders accounting for over 90% of Africa’s agricultural production: demands, in a context where family farmers and smallholders have demonstrated their ability to provide diversified products and to increase food production sustainably, through the use of agro-ecological practices, that funding be increased for small farmers with a view to ensuring the continent’s food security and building up stocks of production for the benefit of the local population;

24. Calls for the European Union and African States to work together to develop a strategy to increase Africa’s agricultural competitiveness addressing rural development issues, constraints linked to sanitary and phytosanitary measures and access to micro-financing with a view to boosting intra-continental trade in agricultural goods, protecting the livelihoods of small farmer holders and ensuring food security;
25. Calls for a stronger focus on men’s and women’s education and on initiatives that devote sufficient resources to encouraging creativity and innovation, which are necessary for the promotion of competitiveness and export diversification;

26. Calls for the proposed CFTA to draw on the experience of 40 years of ACP-EU relations, take over the strong points of the Cotonou Agreement and be based on the ongoing negotiations on the new agreement for the post-2020 period;

27. Encourages the African ACP countries to be centrally coordinated so as to stand united in negotiations with their trade partners, including the European Union;

28. Calls on the European Union and Africa to form a partnership based on a policy of joint sustainable and inclusive growth and co-development focusing on common challenges and interests; insists on the importance of exchanging good practices between the two continents, in particular on improving national infrastructure and institutional capacity in order to effectively support the CFTA;

29. Recognises that the implementation of the CFTA will take a long time and will require the intense political involvement of all stakeholders; calls for the setting up of a strong monitoring system to assess progress towards the implementation of CFTA commitments;

30. Recognises that the CFTA will not be beneficial without a strong structural change ensuring the necessary shift of African production and export structures from primary commodities to manufacturing;

31. Believes that the CFTA should have a real capacity to act, particularly by channelling aid, subsidies and other Community resources in order to achieve poverty eradication in Africa and to bring about a convergence in countries’ levels of development; calls on the parties to develop a mechanism to balance the distribution of gains among African countries so that the economically weaker countries are integrated and benefit equitably from the CFTA;

32. Calls for the establishment of a framework for technical experts around the continent to share ideas, experiences and best practices in promotion of the CFTA;

33. Recognises that the CFTA will not be able, by itself, to address all the challenges currently facing Africa, but will offer the continent real prospects for sustainable, inclusive development by opening it up to other economic groupings, such as the European Union and the Pacific and Caribbean zones;

34. Recalls that it is essential that Africa take charge of its own development and stand by its own model by acquiring all the necessary means to achieve a form of growth that will benefit all Africans;

35. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council of Ministers, the European Parliament, the European Commission, the European Council, the African Union, the Pan-African Parliament, the regional and national parliaments, the regional organisations relating to ACP countries, and the European Investment Bank.

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RESOLUTION (1)

on migration between ACP and EU Member States: causes, consequences and strategies for common management

The ACP-EU Joint Parliamentary Assembly,

— meeting in Windhoek (Namibia) from 13 to 15 June 2016,

— having regard to Article 18(1) of its Rules of Procedure,

(1) Adopted by the ACP-EU Joint Parliamentary Assembly on 15 June 2016 in Windhoek (Namibia).
— having regard to its previous resolutions, in particular that of 9 December 2015 on migration, human rights and humanitarian refugees,

— 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)\(^{(2)}\), in particular Article 13 thereof, and to the revisions of the Cotonou Agreement adopted in 2005 and 2010\(^{(3)}\),

— having regard to the creation of the ACP Observatory on Migration,

— having regard to the Report on the 2011-2012 dialogue on migration and development endorsed by the ACP-EU Council of Ministers at its 37th Session on 14 June 2012 in Port Vila, Vanuatu,

— having regard to the Khartoum Process (EU-Horn of Africa Migration Route Initiative) and the Rabat Process (Euro-African Dialogue on Migration and Development),

— having regard to the Council Conclusions on Policy Coherence for Development (PCD): 2015 EU Report of 26 October 2015,

— having regard to the European Parliament resolution of 8 March 2016 on the situation of women refugees and asylum seekers in the EU\(^{(4)}\),

— having regard to the European Parliament resolutions of 17 December 2014 on the situation in the Mediterranean and the need for a holistic EU approach to migration\(^{(5)}\), of 29 April 2015 on the latest tragedies in the Mediterranean and EU migration and asylum policies\(^{(6)}\), and of 10 September 2015 on migration and refugees in Europe\(^{(7)}\),

— having regard to the European Parliament legislative resolution of 3 July 2013 on the proposal for a Council directive implementing enhanced cooperation in the area of financial transaction tax\(^{(8)}\),

— having regard to Council Decisions (EU) 2015/1601 of 22 September 2015 and (EU) 2015/1523 of 14 September 2015, both establishing provisional measures in the area of international protection for the benefit of Italy and Greece,

— having regard to the communication from the Commission to the European Parliament, the European Council and the Council of 29 September 2015 entitled ‘Managing the refugee crisis: immediate operational, budgetary and legal measures under the European Agenda on Migration’ (COM(2015)0490),

— having regard to the Charter of Fundamental Rights of the European Union of 7 December 2000,

— having regard to the Joint EU-Africa Strategy,

— having regard to the Joint Declaration and Action Plan, adopted at the EU-Africa Summit on Migration of 11-12 November 2015,

— having regard to the Sahel Regional Action Plan 2015-2020, adopted by the Council on 20 April 2015,

\(^{(3)}\) OJ L 287, 4.11.2010, p. 3.
\(^{(5)}\) Texts adopted, P8_TA(2014)0105.
\(^{(8)}\) OJ C 75, 26.2.2016, p. 301.
having regard to the UN Assembly resolution of 25 September 2015 ‘Transforming our world: the 2030 Agenda for Sustainable Development’ (A/RES/70/1),

having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms,

having regard to the Geneva Convention of 1951 relating to the status of refugees and its Protocol of 1967,

having regard to the International Covenant on Civil and Political Rights,

having regard to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

having regard to the African (Banjul) Charter on Human and Peoples’ Rights, adopted by the Organisation of African Unity Assembly on 27 June 1981,

having regard to UN Security Council Resolution 2240 (2015) of 9 October 2015 relating to combating the recent proliferation of, and endangerment of lives by, the smuggling of migrants and trafficking of persons on the high seas in the Mediterranean,

having regard to the Universal Declaration of Human Rights adopted by the UN General Assembly on 10 December 1948,

having regard to the UN Convention on the Rights of the Child,

having regard to the UN Convention on the Elimination of all Forms of Discrimination Against Women,

having regard to outcomes of the 21st Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP21),

having regard to the UN Beijing Platform for Action and the Beijing Declaration,

having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention),

having regard to the report of the Committee on Social Affairs and the Environment,

A. whereas wars, terrible violence (perpetrated by, among others, terrorist groups such as Boko Haram and ISIS), growing terrorist organisations’ activities and threats, political, social and economic instability, economic downturn, poverty, poor governance, human rights violations, religious extremism and hatred, unemployment, corruption, political interference and repression, humanitarian crises, climate change, natural disasters, environmental degradation, lack of opportunities for young people, and growing disparities in living and economic conditions are the major driving forces behind migration and forced displacement;

B. whereas South-South mixed migration flows are far more significant than flows to the North and have been going on for years, especially within Africa;

C. whereas UNHCR has projected that 15 million people were affected by displacements in Africa in 2015, and whereas, despite these high numbers, the right to seek and enjoy international protection is largely respected in Africa;

D. whereas climate change will lead to millions of people fleeing their countries, and the EU and ACP countries must commit to preventing the negative impact of climate change and to addressing its consequences;

E. whereas regional instability and persistent conflicts have given rise to an unprecedented humanitarian crisis which led to the forced displacement of 59.5 million people in 2014, as compared to 51.2 million in 2013, and whereas there are indications that the figure for 2015 will exceed 60 million for the first time;
F. whereas women and children account for more than 55% of all refugees fleeing to Europe, and many of these are at risk of people trafficking, violence and sexual abuse; whereas half of the world’s refugees are children; whereas 25 000 unaccompanied minor refugees arrived in the EU in 2014, and 10 000 child refugees are reported to have gone missing in the EU in 2016;

G. whereas migrants and refugees are subject to different statuses under international law, since migrants, especially economic ones, choose to move in order to improve their lives, while refugees are forced to flee to save their lives or preserve their freedom;

H. whereas policy coherence and coordination between the EU’s external action, security, defence, trade, arms exports, taxation, agriculture, humanitarian aid, migration, asylum and development cooperation policies are of crucial importance but remain largely unaccomplished;

I. whereas there is a clear need for a common approach to deal with the unprecedented increase in migration and forced displacement, with coordination both within the EU, within ACP regions and between the EU and ACP countries; whereas the Valletta Summit on 11 and 12 November 2015 was a courageous step in this direction and must lead to tangible results;

J. whereas the EU, the ACP countries and the international community should continue to be committed to guaranteeing the universal fundamental rights of migrants and refugees, and ensure the improvement of the basic conditions and living capacities of refugee camps, in order to avoid the massive exit of migrants looking for better living conditions;

K. whereas the Common European Asylum System requires that all Member States provide appropriate and equal reception conditions for refugees;

L. whereas several Member States are currently in a race to the bottom in this area by, for example, detaining refugees upon arrival;

M. whereas in its Action Plan, adopted at the Valletta summit, the EU pointed out its intentions to integrate further key development objectives in its external migration cooperation with African countries;

N. whereas organised criminal networks are exploiting migrants by charging large sums of money with the promise of safe passage across the Mediterranean into the EU through its southern borders, often resulting in the tragic deaths of many migrants; whereas the best way to eliminate human trafficking and the criminal networks is to establish safe and legal migration channels to Europe by giving access to asylum and visa procedures, including ‘humanitarian’ visas for migrants from countries going through conflict or a humanitarian crisis, facilitating family reunification, and opening up legal migration routes for workers;

O. whereas, according to the International Organisation for Migration, in 2015 over 3 771 persons were reported dead or missing in the Mediterranean sea; whereas children represent 30% of all recorded deaths in the Aegean Sea;

P. whereas the EU’s Global Approach to Migration, with its Mobility Partnerships, aims at facilitating legal mobility, between and within our continents, especially of students, professors and researchers, but also of workers and for the purpose of family reunification, and has proven to be a powerful driver for development and poverty alleviation, and presents both opportunities and challenges for all parties concerned;

Q. whereas the colonial legacy, the attractiveness of welfare and benefit systems in many more highly developed EU economies, the demand for skilled labour, the prospect of better-paid jobs, and the encouragement given by the diaspora of many African peoples to family and friends to become migrants, are some of the pull factors causing migration from African states to the EU;
R. whereas the duty of States is to effectively promote and protect the human rights and fundamental freedoms of all migrants in conformity with the Universal Declaration of Human Rights, the UN Convention on the Status of Refugees and the international instruments to which they are party;

S. whereas many EU Member States also have real need of immigration for demographic and economic reasons and for the promotion of cultural links; whereas Europe has greatly benefited from migration and asylum in terms of cultural diversity, inter-cultural exchange and productivity; whereas more needs to be done in the EU and its Member States to achieve greater holistic economic, social and cultural inclusion of incoming migrants and refugees;

T. whereas the Global Forum on Migration and Development (GFMD) considers the promotion of circular migration as one of the key avenues to increase the contribution of international migration to development, since it provides gains to countries of both origin and destination, as well as to the migrants themselves;

U. whereas migrants and refugees, particularly women and girls, are vulnerable to exploitation by human trafficking groups;

1. Believes it is an unalienable right of any person to migrate in order to flee persecution or to search for better living conditions for him/herself and his/her loved ones, in accordance with Article 13 of the Universal Declaration of Human Rights and Article 12 of the International Covenant on Civil and Political Rights; stresses that, while this is a liberty and a fundamental right that should benefit everyone, only some citizens are currently able to exercise it;

2. Strongly condemns human rights violations being perpetrated against migrants, in particular acts of violence, unjustified coercion and arbitrary detention; affirms that all policy on migration and asylum must place respect for human rights at its core, in an effort to prevent human rights violations and war crimes that often lead to forced displacement, and to uphold the human rights of refugees and migrants who have been displaced;

3. Urges the EU and ACP countries to join forces to provide a genuine response to the current migration crisis and prevent future ones, which can only be achieved by tackling the root causes, namely poverty, instability, generalised violence, wars, persecution, violations of human rights, and natural disasters, as well as by acknowledging and understanding that economic migrants, victims of social or political persecution and war migrants pose different challenges, requiring different responses;

4. Welcomes the adoption, in September 2015, of the UN 2030 Agenda for Sustainable Development, including its Sustainable Development Goals (SDGs), and the commitment of all states to ‘facilitate orderly, safe, regular and responsible migration and mobility of people through the implementation of planned and well-managed migration policies’; believes that the implementation of the SDGs will be an opportunity to promote coherence with longer-term development objectives; urges, therefore, the EU and the ACP countries to adopt and fully implement the UN 2030 Agenda for Sustainable Development, tackling in this way the root causes of migration by means of a holistic and integrated approach that ensures the inclusion and empowerment of the most vulnerable; calls on the international community to adopt measurable indicators for the SDGs on migration, as well as to collect and publish disaggregated data on migrants’ access to decent work, healthcare and education, especially in developing destination countries, in order to improve migration governance;

5. Urges the EU and ACP countries to refrain from creating barriers for persons with disabilities in all policies relating to migration, taking into account the increased vulnerabilities and challenges that persons with disabilities face before, during and after migration; calls on the EU to ensure the accessibility and inclusiveness of its migration policies for persons with disabilities, in line with the Concluding Observations on the EU of the UN Committee of the Rights of Persons with Disabilities;

6. Calls on the EU to reassess its development assistance to source countries of economic migration, and to help create conditions for people to stay and build an existence in their home countries;
7. Notes that the establishment of urgent relocation measures is a move in the right direction; regrets, however, the excessively slow implementation of these measures, the lack of sufficient resources to deal with the refugee crisis, and the reluctance of the Member States to participate actively in the relocation process; calls on all Member States to fulfil their obligations as soon as possible;

8. Calls on the parties to elaborate a concrete migration policy and a well-defined, long-term strategy on readmission and resettlement, and to cooperate with third countries to address the primary causes of displacement, such as conflicts, terrorism, discrimination, poverty, environmental degradation, land grabs, lack of corporate social responsibility, corruption and poor governance, in order to achieve the Sustainable Development Goals; deplores the EU’s unbalanced approach to migration, consisting of prioritising the fight against ‘irregular’ migration, while giving insufficient attention to legal migration and mobility opportunities;

9. Underlines the great need for effective measures to tackle migrant smuggling and trafficking, and to bring the criminal networks involved in these phenomena to justice;

10. Considers that it is possible and necessary to limit continuous suffering and avoid unacceptable loss of lives by swiftly setting up and implementing safe and legal ways of entry for refugees;

11. Welcomes the launch of an EU action plan on return, which sets out a strategy for scaling up cooperation with third countries on return and readmission agreements; insists that the EU’s cooperation with ACP countries should focus on strengthening the latter’s capacity to respond quickly to readmission requests, and on facilitating the identification of their respective nationals; recalls that readmission agreements must go hand in hand with the sustainable reintegration of returnees, and urges, therefore, the EU and ACP countries to invest further in measures to enhance the capacities of countries of origin to readmit and reintegrate their nationals;

12. Recalls that the final aim of any common migration policy should be not only to tackle the challenges of irregular migration but, more importantly, to take full advantage of the opportunities legal migration flows offer to both countries of origin and countries of destination;

13. Highlights the importance of mobility, especially for educational and employment purposes, in the context of tackling the root causes of migration, especially in relation to the empowerment of women and girls; recalls that migrants can contribute directly to the development of their country of origin through the transfer of the knowledge, expertise and skills they have gained and encourages in this regard ACP and EU States to consider concluding circular migration agreements; calls, therefore, on the EU to ensure that the concept of EU Mobility Partnerships is an instrument not only for fighting irregular migration, but also for strengthening coherence between migration and development;

14. Recalls that the promotion of circular migration schemes, and the signature of a visa facilitation agreement, especially for students, professors, researchers and for the purpose of family reunification, are also the best ways to combat organised criminal networks' exploitation of migrants;

15. Underlines the importance of migrants’ and migrant workers' rights to avoid exploitation in all its forms, including human trafficking and forced labour, and highlights in this regard the need to provide training for law enforcement and border officials to recognise signs of exploitation, and to take the necessary steps to address it, in both receiving and sending countries; states, in this respect, that human traffickers sell a distorted picture to many migrants and refugees; reiterates the importance of combating human trafficking, cutting the money flow and dismantling the networks, as this will have a positive effect on the human rights situation of refugees and migrants in third countries;

16. Urges a coordinated approach in mobilising resources needed to address the plight of migrants and refugees in or en route to EU Member States, with particular attention given to more vulnerable groups, such as unaccompanied minors and persons with disabilities; highlights the importance of creating safe passage corridors and proper reception and processing facilities for refugees and migrants along their journey and on arrival to the EU, meeting adequate humanitarian standards and upholding human rights norms; calls on the ACP countries and European countries to cooperate more closely to fight smuggler networks;
17. Stresses that expenditure related to security is particularly relevant to current efforts to address, in a comprehensive way, the security-development nexus and to deliver on Goal 16 of the 2030 Development Agenda; believes that promoting peace, security and justice in developing countries is of paramount importance if the root causes of poverty are to be addressed; emphasises, however, that such funding, which does not constitute ODA, must come from instruments other than the Development Cooperation Instrument (DCI) or the European Development Fund (EDF);

18. Highlights the fact that refugee women and girls face gender-based threats, challenges and obstacles, and that any humanitarian assistance, reception or asylum policy must therefore be gender sensitive, with resources and training allocated to addressing gender-specific circumstances;

19. Emphasises that refugee children are especially vulnerable on their journeys, as they face abduction, exploitation and abuse, and urges all parties to take action to afford protection to refugee children, and to uphold their rights, including the right to access to education;

20. Supports the transformation of Frontex into a fully-fledged European Border and Coast Guard (EBCG); supports as well a substantial increase of the agency's budget;

21. Calls for a political dialogue, in the context of migration policy, between the EU, countries of origin and transit countries, to help support governments of EU partner countries in the fight against organised crime and smugglers;

22. Recalls the importance of migrants' remittances and calls on the EU and ACP countries to introduce cheaper ways of transmitting remittances;

23. Urges the EU institutions and state party governments to work with local, national and transnational civil society actors regarding both the alleviation of causes of displacement and the effects of migration on both ACP and EU Member States;

24. Calls on the parties to apply without delay the relevant provisions of the Valletta Action Plan for concluding visa facilitation agreements and to use the legal framework of the Rabat and Khartoum processes instrumentally in order to achieve this goal; insists that engagement in the Khartoum process must not dampen efforts to tackle ongoing humanitarian law and human rights violations, including by governments, which are part of the causes of forced displacement; affirms that these processes must be compatible with a long-term strategy to end conflict and human-rights violations in the affected regions;

25. Praises in particular the Valletta provision to double the number of scholarships for students and academic staff through the EU-supported Erasmus+ Programme for 2016 compared with 2014; calls for a further increase of these scholarships;

26. Calls on all parties to respect fully the principle of policy coherence for development in its migration policies, and in particular in the implementation of the European Agenda on Migration, bearing in mind, in this connection, the link between internal and external policies and, hence, the relationship between migration and development policies, on the one hand, and current social protection and employment policies in the Member States, on the other;

27. Notes the establishment of the EU's Emergency Trust Fund for stability and addressing root causes of irregular migration and displacement of people in Africa ('Trust Fund'), an instrument that should combat destabilisation, forced displacement and irregular migration, including a provision of EUR 1.8 billion from EU funds and EUR 81 million from EU Member States; insists that the resources under this fund should be devoted to supporting relevant aid projects; stresses that development money must not be used for cooperation on border management and return, or for
readmission agreement controls by third countries; invites the Commission to fully ensure political accountability and enhance the financial transparency of the Trust Fund, and consistently to apply internationally agreed aid effectiveness principles, such as democratic ownership and alignment; encourages the Member States to contribute to the Trust Fund, and underlines that monitoring and evaluation of the projects and programmes financed, together with an impact assessment of this fund, will be essential to ensuring that the fund serves its purpose, namely helping those in need and not financing governments responsible for human rights violations;

28. Calls on the Member States to respect commitments made in the context of the financing of the trust funds and in relation to other humanitarian aid commitments; recalls that the UNHCR is clearly lacking funds to tackle humanitarian crises; asks the EU to step up its commitments on resettlements, and to implement the decision made at the Addis Ababa Financing for Development conference to meet the target of setting 0.15-0.2 % of their gross national income aside for official development assistance to the least developed countries in the short term;

29. Highlights that one of the main root causes of massive migration, among many other, is climate change and its impact through natural disasters; warns that massive migration flows owing to natural disasters will increase in the future; reiterates that a holistic approach to the complex connections between climate change and people fleeing their countries, based also on the expertise the ACP Observatory on Migration could provide, is needed; believes that this integrated approach should consider, among other things, security, agriculture, environmental degradation and sustainable urban/rural development; demands, more broadly, that climate change be systematically integrated into all external policies and, in particular, development cooperation policies;

30. Calls for an international legal framework to be laid down in order to define ‘climate refugee’ status; believes that the Union and the ACP countries could play a leading role in producing such a framework;

31. Calls for the issue of climate refugees to be addressed by means of measures extending existing legal instruments or principles that would allow a coherent and binding solution; calls on the EU to provide the funds for climate financing that the EU has promised in the past, in order to fulfil the common objective of mobilising USD 100 billion per year by 2020 to supplement traditional development aid;

32. Praises the EU’s support for the Nansen Initiative and the related Nansen Protection Agenda, focusing on the protection of people displaced across borders in the context of disasters caused by natural hazards, including those linked to climate change; encourages further reinforcement of the EU-created Global Climate Change Alliance to help poor developing countries most vulnerable to climate change to increase their capacities to adapt to its effects;

33. Urges that the topic of climate change and migration be included within the framework of the ACP-EU Dialogue on Migration and Development;

34. Calls on the EU to urgently allocate, within the ACP-EU Migration Action, technical assistance to the relevant ACP countries on aspects related to climate change and migration, which is becoming increasingly crucial for them, both as an adaptation strategy and for disaster prevention;

35. Calls on the EU, its Member States and the ACP countries to extend humanitarian assistance in the field in order to promote the security of persecuted communities in their homelands;

36. Recognises that sustainable economic development, and the building of a state based on democratic, strong and transparent institutions, contribute strongly to tackling the root causes of forced migration; calls on the EU and all international stakeholders to enhance development cooperation and instruments for ongoing political dialogue;

37. Instructs its Co-Presidents to forward this resolution to the ACP Council of Ministers, the European Parliament, the European Commission, the European Council, the African Union, the Pan-African Parliament, the regional and national parliaments of the ACP countries and the EU Member States and the regional organisations of ACP countries.
RESOLUTION (1)

on the pre-electoral and security situation in the Democratic Republic of the Congo

The ACP-EU Joint Parliamentary Assembly,

— meeting in Windhoek (Namibia) from 13-15 June 2016,

— having regard to the UN Security Council’s resolutions on the DRC, in particular Resolutions 2198 (2015) on renewing the DRC sanctions regime and the mandate of the Expert Group and 2277 (2016), which renewed the mandate of the United Nations Organisation Stabilisation Mission in the DRC (MONUSCO) for a year,

— having regard to the revised Cotonou Partnership Agreement,

— having regard to the African Charter on Human and Peoples’ Rights, of June 1981,

— having regard to the African Charter on Democracy, Elections and Governance,

— having regard to the Nairobi Declarations of December 2013,

— having regard to the Peace, Security and Cooperation Framework Agreement for the DRC and the Region, signed in Addis Ababa in February 2013,

— having regard to the report of the UN Group of Experts on the DRC of 12 January 2015,

— having regard to the annual report of the UN High Commissioner for Human Rights, published on 27 July 2015, on the situation of human rights and the activities of the United Nations Joint Human Rights Office in the DRC,

— having regard to the statement of 9 November 2015 by the President of the UN Security Council on the situation concerning the DRC,

— having regard to the UN Secretary-General’s reports of 9 March 2016 on the UN Stabilisation Mission in the DRC, and on the implementation of the Peace, Security and Cooperation Framework for the DRC and the Region,

— having regard to the press release of 16 February 2016 issued by the African Union, the United Nations, the European Union and the International Organisation of La Francophonie on the necessity of an inclusive political dialogue in the DRC and their commitment to support efforts by the Congolese to consolidate democracy in the country,

— having regard to the European Parliament’s previous resolutions on the Democratic Republic of the Congo (DRC), notably those of 9 July 2013, 17 December 2015 and 10 March 2016,

— having regard to the Conclusions of the Council of the EU on the Democratic Republic of the Congo, of 23 May 2016,

— having regard to the EU Annual Report on Human Rights and Democracy, adopted by the Council of the EU on 22 June 2015,

— having regard to the statements by the Commission Vice-President and High Representative of the Union for Foreign Affairs and Security Policy and by her spokesperson on the situation in the Democratic Republic of the Congo, in particular those of 25 January 2015 and 12 October 2015,

— having regard to the local EU statements of 21 October 2015 on the human rights situation in the DRC, and of 19 November 2015 following the launch of the national dialogue in the DRC, respectively,

(1) Adopted by the ACP-EU Joint Parliamentary Assembly on 15 June 2016 in Windhoek (Namibia).
— having regard to the joint press statement issued on 2 September 2015 by the Team of International Envoys and Representatives for the Great Lakes region of Africa on elections in the DRC,

— having regard to the Congolese Constitution of 18 February 2006,

— having regard to Article 18(2) of its Rules of Procedure,

A. whereas Joseph Kabila has been the President of the DRC since 2001; whereas the next presidential and legislative elections are scheduled to be held in November 2016 and President Kabila's term of office ends on 20 December 2016; whereas the mandate of the President of the DRC is limited under the Congolese Constitution to only two terms;

B. whereas on 15 April 2016 the Independent National Electoral Commission (CENI) stated that the process of drawing up a new electoral register would start in July 2016 and could take three years; whereas on 18 March 2016 it announced that it could not organise presidential and legislative elections as planned while, on the contrary, the International Organisation of la Francophonie contends that it would be possible to update the electoral registers in three months;

C. whereas this situation has prompted accusations by the political opposition in DRC of President Kabila and his Government trying to use administrative and technical means to delay the elections and remain in power beyond the end of their constitutional mandate;

D. whereas an initial attempt to amend the electoral law of the DRC, particularly Article 8, was aborted in 2015 due to strong opposition and mobilisation of civil society; whereas these attempts have caused growing political tension, unrest and violence in the country;

E. whereas the next presidential and legislative elections are of crucial importance, and their peaceful, transparent and timely conduct would contribute greatly to consolidating the progress that has been made in the DRC over more than a decade;

F. whereas, in June 2014, the EU sent a follow-up electoral mission to DRC, which pointed to the need to ensure an updated electoral register, conditions for fair competition between candidates, stronger protection of civil liberties, a fair electoral dispute arbitration system and efforts to end impunity;

G. whereas, on 28 November 2015, President Kabila called for a national dialogue; whereas, subsequently, the African Union appointed former Togolese Prime Minister Edem Kodjo as national political dialogue facilitator; whereas two major opposition groups (G7 and la Dynamique de l'opposition) rejected Mr Kodjo's final conclusions as failing to reflect the current situation on the ground and, to date, still refuse to participate in this dialogue because they consider it to be neither open, nor inclusive, nor democratic, but to be a delaying tactic;

H. whereas the African Union, the United Nations, the European Union and the International Organisation of La Francophonie have jointly underscored the importance of dialogue and the search for an agreement between political actors that is respectful of democracy and the rule of law, and have urged all Congolese political actors to extend their full cooperation to Edem Kodjo;

I. whereas in the last few months human rights groups have been repeatedly reporting about the worsening of the human rights situation and freedom of expression and assembly in the country, including the use of excessive force against peaceful demonstrators, journalists, political leaders and others who oppose attempts to allow President Kabila to stay in power beyond the constitutionally mandated two-term limit;

J. whereas, some acts of repression have resulted in people being killed or injured; whereas in other cases people have been arbitrarily arrested or placed on trial for political motives; whereas press freedom is reported to be limited by threats and attacks against journalists, as established by Reporters Without Borders and Journalists in Danger, which has listed 72 cases of attacks on journalists and the media, and by closure of media outlets; whereas the UN and some human rights organisations have stated that a large number of human rights abuses have been perpetrated by state officials and that there has been only limited progress in bringing the leading perpetrators to justice;
K. whereas the security situation in the DRC continues to deteriorate, especially in the eastern and south-eastern parts of the country, with numerous reported infringements of human rights and international law; including targeted attacks against civilians, extrajudicial executions, kidnappings, recruitment and use of children by armed groups and widespread sexual and gender-based violence; whereas, as regard sexual violence, the UN has highlighted significant action on the part of the Congolese authorities, including 20 trials in the past months which found 19 army officers guilty of rape;

L. whereas humanitarian agencies estimate that political instability is plunging the country into chaos and causing its population, already weakened by the different past and present crises, to sink into extreme poverty and insecurity, with 7.5 million people currently in need of assistance; whereas the ongoing conflict and military operations have also caused the internal displacement of 1.5 million and forced 500,000 people to flee the country;

M. whereas the 2014-2020 National Indicative Programme for the DRC, with EUR 620 million in funding under the 11th EDF, prioritises strengthening governance and the rule of law, including reforms of the judiciary, police and army;

N. whereas the United States of America and the United Kingdom declared on 13 May 2016 that they were envisaging the possibility of coordinating with their European and international partners in applying targeted sanctions to deter those who took part in actions or policies undermining democratic processes or institutions in the DRC;

O. whereas access to and exploitation of natural resources continue to play an important role in fuelling the conflicts in DRC and the region;

I. is deeply concerned by the increasingly unstable situation in the Democratic Republic of the Congo, in a tense pre-electoral context; in this connection, calls on the Congolese authorities to update the voter registry and present without further delay an electoral calendar and a credible and fair budget for the presidential and legislative elections, with full respect for the constitutional timeframe and provisions; notes with satisfaction the willingness of the EU and of the international community to provide support to the Congolese electoral process, if needed, provided that the above-mentioned prerequisites are complied with;

II. Calls for a successful and timely holding of elections, which will be crucial to the long-term stability and development of the country and the entire region; affirms that the elections should be carried out in full compliance of the letter and the spirit of the Congolese Constitution of 2006, notably Articles 70, 73, 103, 105, 220 and 222, and in accordance with the principles of the African Charter on Democracy, Elections and Governance, which the DRC is urged to ratify without delay; is of the view that the DRC authorities have a clear responsibility in this regard, and a duty to guarantee an environment conducive to transparent, credible and inclusive elections;

III. Notes President Kabila’s initiative to launch a national dialogue and stresses the importance of having an open, inclusive and democratic political dialogue, accepted by all, in order to peacefully agree on the terms of a credible electoral process and calendar;

IV. Calls on the EU and the AU to extend their full cooperation to an inclusive dialogue and search for an agreement between political actors in the DRC that is respectful of democracy and the rule of law, and to continue to coordinate their efforts in the DRC with other international stakeholders, in particular the UN;

V. Urges the Government of the DRC to make further progress in the democratisation of the country and, to this effect, to actively build on the recommendations included in the final report of the 2011 EU Electoral Observation Mission and in the report on the 2014 follow-up mission; stresses that the nature and amount of EU support for the electoral process in the DRC should depend on the progress made in the implementation of the recommendations included in these reports;

VI. Recalls that the Independent National Electoral Commission should be an impartial and inclusive institution with sufficient resources to allow a comprehensive and transparent process;
7. Expresses deep concern at the deteriorating security and human rights situation in the DRC, and in particular at the continuous reports of increasing political violence; insists on the government's responsibility to avoid any deepening of the current political crisis or escalation of violence and to respect and protect the political rights of its citizens, in particular the rights of expression, association and assembly, as these are the basis for a dynamic political and democratic life;

8. Strongly condemns any use of force and the severe restrictions and intimidations faced, notably, opposition members, human rights defenders and journalists ahead of the upcoming electoral cycle; calls for the release of all political prisoners; calls on the Congolese authorities to guarantee the independence of the National Human Rights Commission and to enable it to work entirely independently, giving it the requisite resources;

9. Calls for a thorough and transparent investigation to be launched by the DRC Government and international partners into human rights violations that took place recently notably in the context of election protests, in different parts of the country and into the recent massacres in Benin, in North Kivu; reiterates that there can be no impunity for perpetrators of serious human rights violations, war crimes, crimes against humanity and sexual violence and for those responsible for the recruitment of child soldiers; stresses that the persons responsible for any such acts must be reported, identified, prosecuted and punished in accordance with national and international criminal law;

10. Acknowledges the efforts made by the Congolese authorities in the fight against impunity and in preventing sexual violence and violence against children although considers that progress remains slow; calls on the government to promote gender equality, particularly as regards women on the list of presidential candidates;

11. Reiterates its deep concern regarding the alarming humanitarian situation in the DRC, caused in particular by the violent armed conflicts in the eastern provinces and the influx of some 245 000 Burundian refugees since April 2015; recalls that the neutralisation of all armed groups in this region will strongly contribute to peace and stability; calls on the EU and its Member States to maintain their assistance to the people of the DRC in order to improve the living conditions of the most vulnerable sections of the population;

12. Welcomes UN Security Council Resolution 2277 (2016), which renewed MONUSCO's mandate and strengthened its powers to protect civilians and uphold human rights in the electoral context;

13. Calls on the AU and the EU to ensure a permanent political dialogue between the countries of the Great Lakes region in order to prevent any further destabilisation; regrets that only limited progress has been made in the implementation of the Peace, Security and Cooperation Framework Agreement of February 2013 and calls on all parties to actively contribute to stabilisation efforts;

14. Recalls the commitment made by the DRC under the Cotonou Agreement to respecting democracy, the rule of law and human rights principles, which include freedom of expression and of the media, good governance and transparency in political office; urges the EU institutions to intensify its dialogue with the DRC authorities, in the framework of Article 8 of the Cotonou Agreement, with the objective of obtaining definitive clarifications on the electoral process;

15. Emphasises that, failing this, it will be up to the EU to launch proceedings under Article 96 of the Cotonou Agreement and, in particular, redirect budget support towards civil society and consider targeted sanctions;

16. Highlights the crucial role of the AU in preventing political crises in Central Africa and invites its leaders, notably South Africa, to seek to ensure compliance with the DRC Constitution; urges the EU to use all the diplomatic and economic instruments at its disposal, including the forthcoming signature of the Economic Partnership Agreements, to reach this goal;

17. Welcomes the Congolese authorities' effort to implement the legislation which forbids trading and processing of minerals in areas where they are being illegally exploited, such as those controlled by armed groups; calls on the Congolese authorities to reinforce the implementation of the legislation aimed at putting an end to the illegal exploitation of the DRC’s mineral resources and urges the DRC to continue its efforts to comply with the Extractive Industries Transparency Initiative;
18. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the Council of the EU, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the African Union, the UN Secretary-General, the UN Human Rights Council and the President, Prime Minister and Parliament of the DRC.

RESOLUTION (1)

on rape and violence against women and children in armed conflicts

The ACP-EU Joint Parliamentary Assembly,

— meeting in Windhoek (Namibia) from 13-15 June 2016,

— having regard to the ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000, as revised,

— having regard to the European Parliament resolution of 8 October 2015 on the renewal of the EU Plan of Action on Gender Equality and Women’s Empowerment in Development,

— having regard to the European Parliament resolution of 6 February 2013 on the 57th session of the UN Commission on the Status of Women: Elimination and prevention of all forms of violence against women and girls,

— having regard to the report of the EU Member States’ annual meeting on UN Security Council Resolution 1325 entitled ‘15 years of UNSCR 1325 — looking ahead to 2015’, held in Brussels on 4 July 2014,

— having regard to the EU guidelines on violence against women and girls and combating all forms of discrimination against them, and the EU guidelines on children and armed conflict,

— having regard to the Joint Press Statement by EU High Representative Federica Mogherini, High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, and Leila Zerrougui, Special Representative of the UN Secretary-General for Children and Armed Conflict, on the occasion of the International Day against the Use of Child Soldiers, 12 February 2015,

— having regard to the joint letter of 11 September 2015 to the Members of the European Parliament from Federica Mogherini, High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, and Christos Stylianides, the European Commissioner for Humanitarian Aid and Crisis Management,

— having regard to the Geneva Conventions (1949) and the additional protocols thereto (1977), the UN Convention on the Rights of the Child (UNCRC, 1989) and the Optional Protocol thereto on the involvement of children in armed conflict (2000), and the Rome Statute of the International Criminal Court (1998),

— having regard to the Universal Declaration of Human Rights of 10 December 1948,

— having regard to UN Security Council Resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013) and 2122 (2013) and the EU and ACP States’ commitments and obligations under those resolutions,

— having regard to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), of 18 December 1979,

(1) Adopted by the ACP-EU Joint Parliamentary Assembly on 15 June 2016 in Windhoek (Namibia).
— having regard to the Office of the UN High Commissioner for Refugees (UNHCR) Guidelines on the protection of refugee women, including the prevention of and response to sexual violence against them,

— having regard to the annual report of the Special Representative of the UN Secretary-General for Children and Armed Conflict, Leila Zerrougui, to the Human Rights Council, published on 28 December 2015,

— having regard to the UN Secretary-General’s reports of 23 March 2015 and 13 January 2012 on conflict-related violence,


— having regard to the prohibition of violence against women and to women’s rights to dignity, life, integrity, security and freedom from discrimination under the Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa (Maputo Protocol),

— having regard to Resolution 283 (2014) of the African Commission on Human and Peoples’ Rights on the situation of women and children in armed conflict,

— having regard to the Fourth World Conference on Women, held in Beijing in September 1995, and the Beijing Declaration and Platform for Action,

— having regard to the implementation of the Programme of Action of the International Conference on Population and Development (ICPD), held in Cairo in 1994,

— having regard to Article 18(2) of its Rules of Procedure,

A. whereas rape, sexual slavery, enforced sterilisation and other forms of violence against women, girls and children are used systematically as weapons of war and whereas these practices have been widespread in many recent and current armed conflicts; whereas, when part of a widespread and systematic practice, rape and sexual slavery are recognised under the Geneva Convention as crimes against humanity and war crimes;

B. whereas rape is now also recognized as an element of the crime of genocide when committed with the intent to destroy, in whole or in part, a targeted group;

C. whereas such violations remain vastly underreported and their perpetrators are seldom prosecuted and brought to justice;

D. whereas owing to deep-rooted gender norms in Africa, women and girls are particularly targeted by the use of sexual violence, including as a means of humiliating, dominating, instilling fear in, dispersing and/or forcibly relocating civilian members of a community or ethnic group;

E. whereas sexual violence has severe physical, emotional, psychological and social consequences for victims, as well as for their families and whole communities;

F. whereas in many instances, victims of sexual violence face indirect consequences such as stigmatisation, exclusion from their communities, isolation and economic vulnerability;

G. whereas international humanitarian law requires that abortion be treated as necessary medical care for girls and women impregnated by rape in war, which means that war rape victims have a right of access to abortion as part of necessary medical care;
H. whereas international humanitarian law, including the Geneva Conventions and the additional protocols thereto, applies in times of conflict and supersedes national or local law;

I. whereas UN peacekeeping troops have in many cases been accused of sexual exploitation and abuse; whereas in January 2016, an independent review of such abuse accused the UN of failing to respond to allegations of child abuse against its peacekeepers; whereas the UN Security Council adopted a resolution on this issue in March 2016;

J. whereas in 2014 the European Parliament awarded the Sakharov Prize to Dr Mukwege for his outstanding work in caring for women who have been victims of sexual violence in the Democratic Republic of Congo;

1. Strongly condemns all forms of violence and human rights violations and abuses by state and non-state actors against women and children, and attacks targeting human rights defenders and civil society organisations both in conflict and post-conflict situations;

2. Strongly condemns the use of rape as a weapon of war and oppression which must be eliminated; stresses that states have the primary responsibility for protecting civilians and pursuing accountability in situations of conflict; deplores the lack of protection for innocent women and children against increasing violence including rape, torture, and recruitment of child soldiers;

3. Urges the EU, the ACP Group, the African Union and the UN to bring pressure to bear on governments and all stakeholders implicated in regions where such violence takes place, in order to bring the practice to an end and to ensure the independence of the judiciary so that it can bring perpetrators to justice and put an end to impunity for such violence;

4. Calls on all states to adopt and enforce legislative, administrative and social measures aimed at preventing rape and violence against women and children in conflict and post-conflict situations, and to ensure that the victims receive rehabilitation, adequate support and healthcare and psychological assistance services, including sexual and reproductive healthcare;

5. Calls upon all states to sign and ratify the UNCRC and the Optional Protocols thereto, to enact legislation to explicitly prohibit and criminalise the recruitment and use of children by armed forces or groups and the use of children in hostilities;

6. Calls on all states to investigate all parties involved and to prosecute all those up to the highest level of the chain of command with the most serious charges possible, including war crimes, in order to remove impunity and restore justice;

7. Stresses the need for increased efforts and resources to prevent and eliminate all discriminatory practices against women and to combat and prosecute all forms of violence, including trafficking in human beings, female genital mutilation, forced sterilisation, forced pregnancy, gendercide, domestic violence and marital rape, child, early and forced marriage and gender-based violence in conflict and post-conflict situations;

8. Calls on all states and international actors taking part in conflict and humanitarian aid, including the European Commission to commit to ensuring that women and girls are safe from the start of every emergency or crisis by addressing the risk of sexual and gender-based violence, by raising awareness, by taking steps to prosecute the perpetrators of such violence, and by ensuring that women and girls have access to the full range of sexual and reproductive health services, including safe abortions, in humanitarian crises, rather than perpetuating what amounts to inhumane treatment, as provided for in the Geneva Conventions and the Additional Protocols thereto;

9. Calls on states to provide all necessary support to children born to mothers who have been raped and who are often rejected by society and their families, and to their mothers;
10. Calls on the ACP countries, the EU Member States and the European Parliament to sign up to the Call to Action to address violence against women and girls in emergencies, launched in London in November 2013;

11. Calls on all states to develop a framework to respond systematically to violence against children which is integrated into national planning processes, systematically evaluated according to established targets and timetables, and provided with adequate human and financial resources to support its implementation; urges that action be taken to address the underlying causes of violence against children; highlights education’s role as a powerful tool that can restore a sense of normality, help children overcome the trauma, and give them the capacity to be productive citizens once the emergency is over; stresses the need for adequate resources for education in emergencies occurring during times of armed conflict;

12. Is deeply concerned by the damaging, irreversible and, sometimes, fatal physical, psychological and social effects of female genital mutilation and cutting (FGM/C); calls for its elimination in all countries;

13. Calls on all state and international actors taking part in conflict and humanitarian aid to commit to protecting humanitarian aid workers from prosecution in line with the Geneva Conventions and the additional protocols thereto;

14. Calls on the UN to provide its members with training guidelines and materials on the protection, rights and particular needs of women and children, and for specialised training for all peacekeeping personnel on the protection, special needs and human rights of women and children in conflict situations;

15. Urges high-ranking military commanders to formulate sufficiently clear and precise rules on interaction with civilians, clearly forbidding sexual and other forms of violence; underlines the importance of reminding commanders of their responsibilities with regard to discipline in the event of violence against civilian populations; urges military commanders to report to the judicial authorities any cases of violent acts being perpetrated by their soldiers against civilians;

16. Welcomes the UN Secretary General’s recommendation for the African Union to ensure the implementation of the armed forces action plan against sexual violence and to systematically bring perpetrators to justice and deliver reparations, including compensation, to victims;

17. Expresses great concern at the numerous allegations of sexual abuse by UN peacekeeping forces; welcomes the adoption of UN Security Council Resolution 2272 on this issue; welcomes in particular the fact that the UN has for the first time started naming the countries of alleged perpetrators, a move meant to put pressure on states to pursue allegations that they have often let slide; calls for the implementation of the zero tolerance policy with regard to the exploitation and sexual assaults attributed to UN personnel;

18. Highlights the need to integrate the sexual violence dimension into disarmament, demobilisation and reintegration programmes in order to prevent perpetrators from re-entering military or leadership positions;

19. Regrets that data on rape and sexual violence in conflict remains extremely scarce; asks states where conflict takes place or those involved in post-conflict humanitarian activities to collect disaggregated data on this type of violence and its victims and perpetrators;

20. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the Council of the European Union, the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the Commission, the institutions of the African Union and the Secretary-General of the United Nations.