

English edition

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## I

*(Information)*JOINT ASSEMBLY OF THE CONVENTION CONCLUDED BETWEEN THE AFRICAN,  
CARIBBEAN AND PACIFIC STATES AND THE EUROPEAN UNION (ACP-EU)

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Brussels

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## MINUTES OF THE SITTING OF MONDAY, 17 MARCH 1997

(97/C 308/01)

*(The sitting opened at 2.30 p.m.)***1. Formal inaugural sitting**

Lord Plumb, Co-President, declared the formal sitting of the ACP-EU Joint Assembly open.

Mr José-Maria Gil-Robles, President of the European Parliament, Sir John Kaputin and Lord Plumb, Co-Presidents of the ACP-EU Joint Assembly, and Mr Eric Derycke, Minister for Foreign Affairs of Belgium, spoke.

*(The sitting adjourned at 4 p.m. and resumed at 4.15 p.m.)*

IN THE CHAIR: Lord PLUMB

*Co-President***2. Membership of the Joint Assembly**

Lord Plumb, Co-President, announced that the list of members of the Joint Assembly, as forwarded to him by the authorities of the ACP States and the President of the European Parliament, would be attached to the minutes.

**3. Election of the Bureau of the Joint Assembly**

Lord Plumb, Co-President, announced that, pursuant to Article 2 of the Rules of Procedure of the Joint Assembly, he had received the following proposals:

ACP Co-President

Sir John Kaputin (Papua New Guinea).

ACP Vice-Presidents

Congo

Rwanda

Eritrea

Sudan

Ghana

Guinea

Antigua and Barbuda

Dominican Republic

Zambia

Zimbabwe

Solomon Islands

Papua New Guinea.

European Co-President

Lord Plumb.

European Vice-Presidents

Mrs Kinnock

Mr Verwaerde

Mrs Junker

Mr Gillis

Mr Pons Grau

Mr Schwaiger

Mr Andrews

Mr Vecchi

Mr Robles Piquer

Mr Nordmann

Mr Miranda

Mr Telkämper.

The Bureau, thus constituted, was elected by acclamation.

#### 4. Adoption of draft agenda (AP/2056)

The draft agenda was adopted without amendment.

#### 5. Substitutes

The Co-President announced the following substitutes:

Mrs Carlotti (for Mr Baldarelli)

Mr Happart (for Mr Bontempi)

Mr Cot (for Mrs García Arias)

Mr Hallam (for Mr Hume)

Mr Tomlinson (for Mrs Sauquillo Pérez del Arco)

Mr. Martens (for Mr Alber)

Mr Pomés Ruiz (for Mr Escudero)

Mr Kellett-Bowman (for Mr Fernández Martín)

Mr Schnellhardt (for Mrs Glase)

Mr Castagnetti (for Mr Rack)

Mr Wiebenga (for Mr Bertens).

#### 6. Statement by Commissioner Pinheiro

Commissioner Pinheiro made a statement.

#### 7. Statement by:

— Mr Jan Pronk (Netherlands), President-in-Office, Council of the European Union

#### 8. Question Time to the Council

38 questions were put to the EU Council.

Mr Pronk, President-in-Office of the Council of the European Union, replied to the following questions and to supplementary questions asked by their authors.

- Mr Castagnède, on behalf of the ARE Group, on the conflict in the Great Lakes region
- Mr Fernández Martín, on the conflict in the Great Lakes region
- Mrs Maij-Weggen, on behalf of the EPP Group, on Eastern Zaïre
- Mrs Sauquillo and Mr Pons Grau on Council action in the Great Lakes crisis
- Mr Robles Piquer, on trials in Kigali
- Mr Robles Piquer, on Burundi
- Mr Robles Piquer, on colonial frontiers
- Mr Robles Piquer, on Ethiopia: national unity and autonomy
- Mr Pettinari, on behalf of the GUE/NGL Group, on Sudan and its relations with Eritrea and Ethiopia
- Mr Caccavale, on Sudan
- Mr Viola, on Somalia
- Mrs Maij-Weggen, on Nigeria
- Mrs Kinnock, on EU relations with Nigeria
- Mr Carnero González, on behalf of the GUE/NGL Group, on Equatorial Guinea
- Mr Girão Pereira, on the peace process in Angola
- Mr Macartney, on anti-personnel mines
- Mrs Baldi, on anti-personnel mines
- Mr Schwaiger, on prevention of conflicts
- Mr Nordmann, Mrs Neyts, Mrs André-Léonard and Mr Bertens, on behalf of the ELDR Group, on the abolition of the death penalty

- Mr Telkämper, Mrs Aelvoet and Mr Lannoye, on mercenaries in Africa
- Mr Macartney, on embargo of arms in the Great Lakes region
- Mrs Maij-Weggen, on South Africa
- Mrs Kinnock, on South Africa and fisheries
- Mr Castagnède, on behalf of the ARE Group, on ratification of the revised Lomé IV
- Mrs van Putten, on a hearing on the future of Lomé
- Dominica, Saint Lucia and Saint Vincent and the Grenadines, on banana prices
- Belize, on amendments to the banana regime
- Mrs Kinnock, on ACP bananas
- Mrs Maij-Weggen, on behalf of the EPP Group, on the Assembly's resolution on the chocolate directive.

In view of time constraints, the President-in-Office undertook to provide written answers to the following questions:

- Mr Lannoye, Mrs Aelvoet and Mr Telkämper, on trade and development
- Mrs André-Léonard, on the Centre for Industrial Development (CID)
- Mrs Maij-Weggen, on behalf of the EPP Group, on coordination of European development policies
- Mrs André-Léonard, on the IGC and development policies
- Mr Lannoye, on the convention to combat desertification
- Mrs Gröner, on the Council resolution on taking gender-specific issues into account in development cooperation
- Mr Castagnède, on behalf of the ARE Group, on OCT/EU/EDF
- Mr Aldo, on the mid-term review of the OCT association agreement.

*(The sitting closed at 7.10 p.m.)*

Sir John KAPUTIN and Lord PLUMB

*Co-Presidents*

N. P. MAGANDE and J. PRIESTLEY

*Co-Secretaries-General*

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## MINUTES OF THE SITTING OF TUESDAY, 18 MARCH 1997

(97/C 308/02)

IN THE CHAIR: Lord PLUMB

*Co-President**(The sitting opened at 9.15 a.m.)***1. Substitutes**

The Co-President announced the following substitutes:

Mr Fabre-Aubrespy (for Mr Souchet)

Mrs Carlotti (for Mr Bontempi)

Mr Vinci (for Mr Pettinari)

Mr Liese (for Mr Stasi).

**2. Documents received**

Report of the Working Party on urban development in the ACP countries [chairman, Mrs Schmidbauer; rapporteur, Mr Diagne (Senegal)] (ACP-EU 1625/A/97) and the following motions for resolutions

— by Mr Chincoun and Mr Gnonlonfoun (Benin), on behalf of the ACP Group on the situation in the Great Lakes countries (ACP-EU 2061/97),

— by Mrs van Putten on the ongoing crisis in Bougainville (ACP-EU 2062/97),

— by Mrs van Putten on Protocol 10 on sustainable management of forest resources of the Fourth ACP-EU Conference of Lomé as revised by the agreement signed in Mauritius on 4 November 1995 (ACP-EU 2063/97),

— by Mrs van Putten, Trinidad and Tobago on the action to be taken on the Third Conference of Parties to the Framework Convention on Climate Change, in Kyoto, 1997 (ACP-EU 2064/97),

— by Mrs van Putten, Mrs Kinnock and Mr Corrie on the integration of sustainable development in EU development cooperation with ACP countries (ACP-EU 2065/97),

— by Mr Souchet, on behalf of the I-EDN Group on the situation in Sudan (ACP-EU 2066/97),

— by Mr Nordmann and Mr Bertens, on behalf of the ELDR Group, on the peace process in Angola (ACP-EU 2067/97),

— by Mr Bertens and Mrs André-Léonard, on behalf of the ELDR Group, on the prevention of conflict in Africa (ACP-EU 2068/97),

— by Mr Bertens, on behalf of the ELDR Group, on Nigeria (ACP-EU 2069/97),

— by Mr Bertens, on behalf of the ELDR Group, on the situation in Sudan (ACP-EU 2070/97),

— by Mr Bertens and Mrs André-Léonard, on behalf of the ELDR Group, on the situation in the Great Lakes region (ACP-EU 2071/97),

— by the following Members: Baldi, Aldo, Andrews, Baldini, Caccavale and Girão Pereira, on behalf of the UPE Group, on the situation in the Great Lakes region (ACP-EU 2072/97),

— by Mr Carnero and Mr Pettinari, on behalf of the GUE/NGL Group, on the situation in the region of the Great Lakes, particularly east Zaire (ACP-EU 2073/97),

— by the following Members: Caccavale, Baldini, Andrews, Aldo and Girão Pereira, on behalf of the UPE Group, on the situation in Sudan (ACP-EU 2074/97),

— by the following Members: Andrews, Aldo, Baldi, Baldini, Caccavale and Girão Pereira, on behalf of the UPE Group, on the situation in Nigeria (ACP-EU 2075/97),

— by the following Members: Girão Pereira, Andrews, Aldo, Baldi, Baldini and Caccavale, on behalf of the UPE Group, on the situation in Angola (ACP-EU 2076/97),

— by the following Members: Baldi, Aldo, Andrews, Baldini, Caccavale and Girão Pereira, on behalf of the UPE Group, on anti-personnel mines (ACP-EU 2077/97),

— by the following Members: Aldo, Andrews, Baldi, Baldini and Girão Pereira, on behalf of the UPE Group, on the COM in bananas (ACP-EU 2078/97),

— by Mr Fernández Martín and Mr Robles Piquer, on behalf of the PPE Group, on bananas (ACP-EU 2079/97),

— by Mr Carnero and Mr Pettinari, on behalf of the GUE/NGL Group, on Western Sahara (ACP-EU 2080/97),

— by Mr Fernández Martín and Mr Robles Piquer, on behalf of the PPE Group, on the situation in Equatorial Guinea (ACP-EU 2081/97),

— by the following Members: Fernández Martín, Robles Piquer, Sauquillo Pérez Del Arco, Stasi, Cunha and Viola on the creation and budgetary funding of the Secretariat for the chambers of commerce of the ACP countries in the Canary Islands, Spain (ACP-EU 2082/97),

- by Mr Nordmann, Mr Bertens and Mrs André-Léonard, on behalf of the ELDR Group, on the abolition of the death penalty (ACP-EU 2083/97),
- by Mr Miranda and Mr Pettinari, on behalf of the GUE/NGL Group, on the situation in Angola (ACP-EU 2084/97),
- by Mr Andrews on the murder of Irish Franciscan missionary, Brother Larry Timmons in Kenya (ACP-EU 2085/97),
- by Mrs Maij-Weggen on an economic embargo against Burundi (ACP-EU 2086/97),
- by Mrs Maij-Weggen, on behalf of the PPE Group, on the situation in Nigeria (ACP-EU 2087/97),
- by Mrs Maij-Weggen, on behalf of the PPE Group, on the continuing unrest in Bougainville, Papua New Guinea (ACP-EU 2088/97),
- by Mrs Maij-Weggen, on behalf of the PPE Group, on the implementation by the Commission of the ACP-EU Joint Assembly's resolution on infrastructure and ACP-EU cooperation (ACP-EU 2089/97),
- by Mrs Maij-Weggen on the integration of sustainable development in EU development cooperation with ACP countries (ACP-EU 2090/97),
- by Mrs Aelvoet, Mr Telkämper and Mr Lannoye, on behalf of the V Group, on beef exports to South Africa (ACP-EU 2091/97),
- by Mr Castagnède and Mr Macartney, on behalf of the ARE Group, on the situation in eastern Zaire (ACP-EU 2092/97),
- by Mr Castagnède, on behalf of the ARE Group, on the peace process in Angola (ACP-EU 2093/97),
- by Mr Castagnède and Mr Macartney, on behalf of the ARE Group, on Nigeria (ACP-EU 2094/97),
- by Mr Macartney and Mr Castagnède, on behalf of the ARE Group, on the situation in Sudan (ACP-EU 2095/97),
- by Mr Castagnède and Mr Macartney, on behalf of the ARE Group, on conflict prevention in Africa (ACP-EU 2096/97),
- by Mr Castagnède, on behalf of the ARE Group, on the employment of children (ACP-EU 2097/97),
- by Mr Castagnède, on behalf of the ARE Group, on orphan drugs (ACP-EU 2098/97),
- by the following Members: Castagnède, on behalf of the ARE Group, and Bertens and André-Léonard, on behalf of the ELDR Group, on the International Criminal Tribunal for Rwanda (ACP-EU 2099/97),
- by Mr Castagnède, on behalf of the ARE Group, on the abolition of the death penalty (ACP-EU 2100/97),
- by Mr Telkämper, Mrs Aelvoet and Mr Lannoye, on behalf of the V Group, on Nigeria (ACP-2101/97),
- by Mrs Aelvoet, Mr Telkämper and Mr Lannoye, on behalf of the V Group, on hazardous waste (ACP-2102/97),
- by Mr Pons Grau and Mrs Sauquillo, on behalf of the PSE Group, on the situation in the Great Lakes region (ACP-EU 2103/97),
- by Mr Robles Piquer on Zaire (ACP-EU 2104/97),
- by Mr Pons Grau on human rights violations in Chad (ACP-EU 2105/97),
- by Mr Pons Grau on the human rights situation in Togo (ACP-EU 2106/97),
- by Mr Pons Grau on the human rights situation in Jamaica (ACP-EU 2107/97),
- by Mrs Carlotti and Mr Pons Grau, on behalf of the PSE Group, on the situation in Togo (ACP-EU 2108/97),
- by Mrs Junker, on behalf of the PSE Group, on the role of the World Bank in the economic and social development of the countries of the South (ACP-EU 2109/97),
- by Mrs Junker, on behalf of the PSE Group, on the special session of the United Nations General Assembly in June 1997 to review AGENDA 21 (ACP-EU 2110/97),
- by Mrs Junker, on behalf of the PSE Group, on the situation in Zambia (ACP-EU 2111/97),
- by Mrs Junker, on behalf of the PSE Group, on the situation in Togo (ACP-EU 2112/97),
- by Mr Vecchi and Mrs Junker, on behalf of the PSE Group, on the EU's future relations with the ACP countries (ACP-EU 2113/97),
- by Mr Fernández Martín, Mr Stasi and Mr Berend, on behalf of the PPE Group, on the situation in the Great Lakes region (ACP-EU 2114/97),
- by Mr Viola, on behalf of the PPE Group, on the situation in Somalia (ACP-EU 2115/97),
- by Mr Cunha, on behalf of the PPE Group, on the situation in Angola (ACP-EU 2116/97),
- by Mr Schwaiger, on behalf of the PPE Group, on relations between South Africa and the European Union (ACP-EU 2117/97),
- by Mr Castagnède and Mr Macartney, on behalf of the ARE Group, on counterfeit medicines in developing countries (ACP-EU 2118/97),
- by the following Members: Aelvoet, Telkämper and Lannoye, on behalf of the Green Group, on the Great Lakes region (ACP-EU 2119/97),



- by Mrs Junker, on behalf of the PSE Group, Mr Wurtz, on behalf of the GUE/NGL Group, Mrs André-Léonard, on behalf of the ELDR Group, Mrs Aelvoet, on behalf of the V Group, and Mr Chanterie, on behalf of the PPE Group, on the international conference in Abidjan on transmissible sexual diseases and Aids in Africa (ACP-EU 2120/97),
  - by the following Members: Lannoye, Aelvoet and Telkämper, on behalf of the V Group, on fake medicines (ACP-EU 2121/97),
  - by Mr Vecchi, on behalf of the PSE Group, on the situation in Somalia (ACP-EU 2122/97),
  - by Mr Schiedermeier, on behalf of the PPE Group, on the situation in Sudan (ACP-EU 2123/97),
  - by Mrs Sandbæk and Mr Souchet on Southern Africa (ACP-EU 2124/97),
  - by the ACP Group on bananas (ACP-EU 2125/97),
  - by the ACP Group on rum (ACP-EU 2126/97),
  - by Mrs Kinnock, on behalf of the PSE Group, Ethiopia and Eritrea, on Sudan (ACP-EU 2127/97),
  - by Mrs Kinnock, on behalf of the PSE Group, on Nigeria (ACP-EU 2128/97),
  - by Mrs Kinnock, on behalf of the PSE Group, on South Africa (ACP-EU 2129/97),
  - by the ACP Group on the eradication of poliomyelitis in Africa (ACP-EU 2130/97),
  - by the ACP Group on sugar (ACP-EU 2131/97),
  - by the ACP Group on the situation in Southern Africa (ACP-EU 2132/97),
  - by the representatives of Rwanda on the situation in the Great Lakes region (ACP-EU 2133/97),
  - by the ACP Group on ACP-EU trade relations (ACP-EU 2134/97),
  - by the ACP Group on the impact of subsidized EU beef exports (ACP-EU 2135/97),
  - by the ACP Group on Somalia (ACP-EU 2136/97),
  - by the ACP Group on the situation in Zaire (ACP-EU 2137/97),
  - by Niger on the social situation in Niger (ACP-EU 2138/97),
  - by the representative of Rwanda on the situation in the Great Lakes region (ACP-EU 2139/97).
- 3. Statement by Major-General Sitiveni L. Rabuka (Fiji), President-in-Office of the ACP Council**

The ACP Council President-in-Office made a statement.

#### 4. Oral questions to the ACP Council

The Co-President announced that he had received five questions to the ACP Council (contained in document AP/2040/QUE/CONS).

The ACP Council President-in-Office then answered the following questions:

- N° 33 by Mrs Kinnock on the benefits of Lomé
- N° 35 by Mrs Kinnock on the Banana Protocol
- N° 36 by Mrs Kinnock on South Africa's partial access to Lomé
- N° 34 by Mrs Kinnock on consultation on the Green Paper
- N° 3 by Mrs van Putten on involvement of the ACP Council in the debate on the future of Lomé.

Mr Rocard put two further questions concerning the consideration of the interests of the ACP States in the light of liberalizing tendencies and the desirability of a debate on current events in Zaire, which were also answered by the President-in-Office of the Council.

#### 5. Draft general report on the effects of the United Nations World Conferences 1990-1996 on cooperation between the European Union and the ACP countries in the context of the Lomé Convention

— **General rapporteur: Mrs Junker**

After an introduction by the general rapporteur to the issues raised the following spoke: Gröner, Kinnock, the Representative of Senegal, Robles Piquer, Schiedermeier, the Representative of Uganda, Pomés Ruiz, Baldi, the Representative of Congo, Telkämper, van Putten, the Representative of Kenya, Mouskouri, Chanterie and Vecchi and Hamburger for the Commission. Mrs Junker wound up the debate.

#### 6. Working Party on Urban Development in the ACP countries

[Chairman: Mrs Schmidbauer; rapporteur: Mr Diagne (Senegal)]

The rapporteur presented the broad outline and thrust of the report. The following spoke: Schmidbauer, the Representatives of Senegal and Zimbabwe, and Fontaine for the Commission.

*(The sitting was suspended at 12.50 p.m. and resumed at 3.15 p.m.)*

IN THE CHAIR: Lord Plumb

*Co-President*

#### 7. Substitutes

The Co-President announced the following substitute:

Mrs Carlotti (for Mr Bontempi).

#### 8. Question Time to the Commission

51 questions were put to the Commission by the following members:

1. Mrs Gröner on gender and women issues and development policy.
2. Mr Macartney, on behalf of the ARE Group, and Mr Schwaiger on Indicative Programmes.
3. Mr Robles Piquer on the 1996 aid review.
4. Mr Cunningham on refugees.
5. Mr Lannoye, Mrs Aelvoet and Mr Telkämper, on behalf of the Green Group, on tied aid.
6. Mrs Kinnock on future ACP-EU relations.
7. Mrs Baldi on the World Food Summit.
8. Mr Lannoye, Mrs Aelvoet and Mr Telkämper, on behalf of the Green Group, on the Convention to Combat Desertification.
9. Mrs André-Léonard on the Centre for the Development of Industry (CDI).
10. Mr Macartney, on behalf of the ARE Group and Mr Lannoye, Mrs Aelvoet and Mr Telkämper, on behalf of the Green Group, on trafficking in fake medicines in Africa.
11. Mr Cunningham on anti-personnel landmines.
12. Mr Fernández Martín on an information network between ACP and EU chambers of commerce.
13. Mrs Sandbæk on fisheries agreements.
14. Mr Castagnède, on behalf of the ARE Group, Dominica, Saint Lucia, St Vincent and the Grenadines, the representative of Belize and Mrs Kinnock on bananas.
15. Mr Lannoye, Mrs Aelvoet and Mr Telkämper, on behalf of the Green Group, on beef and veal exports to Africa.
16. Mr Bertens and Mrs Neyts, on behalf of the ELDR Group, on EU exports of beef to southern Africa.
17. Mrs Kinnock on future ACP-EU relations: WTO waiver.
18. Mr Andrews on the LDCs and the World Trade Organization.
19. Mr Schiedermeier on the situation in Sudan.
20. Mr Schiedermeier on the situation in Sudan.
21. The representative of Sudan on the cooperation between the EU and Sudan.
22. Mr Schiedermeier on the situation in Uganda.
23. Mr Castagnède, on behalf of the ARE Group, Mr Fernández Martín and Mr Robles Piquer on the Great Lakes region; Rwanda, Burundi and Zaire.
24. Mr Macartney, on behalf of the ARE Group, on human rights in Chad.
25. Mr Macartney, on behalf of the ARE Group, Mr Lannoye, Mrs Aelvoet and Mr Telkämper, on behalf of the Green Group, on Niger.
26. Mr Fernández Martín and Mr Cunha on Angola.
27. Mr Viola, on behalf of the PPE Group, on Somalia.
28. Mrs Maij-Weggen, on behalf of the PPE Group, on Nigeria.
29. Mrs Maij-Weggen, on behalf of the PPE Group, on South Africa.
30. Mrs Maij-Weggen, on behalf of the PPE Group, on Suriname.
31. Mr Fassa, on behalf of the ELDR Group, on Indicative Programme for Mali.
32. Mrs André-Léonard, Mr Bertens and Mrs Neyts-Uyttebroeck, on behalf of the ELDR Group, on the campaign against drugs in the Caribbean.
33. Mr Aldo and Mr Andrews on cyclones in Madagascar.
34. Mr Caccavale on East Africa.

Commissioner Pinheiro answered the questions and supplementary questions put by the questioners. Other questions were answered in writing.

IN THE CHAIR: Mrs van Putten

9. **Relations between South Africa and the signatory states of the Lomé Convention**

The representative of Zambia made an introductory statement. Mr R. Davies, representing South Africa (observer) then outlined the present situation as regards the negotiations on Lomé accession. The following spoke: Mrs Maij-Weggen, Mrs Kinnock, Mrs Aelvoet and Mr Soubestre, Commission representative.

10. **Working Group on Regional Cooperation in the ACP Countries**

— **Statement on progress**

The chairman of the working group, Mr Wetangula (Kenya), made an introductory statement. The rapporteur, Mr Corrie, gave an account of the work so far. The following spoke: the representatives of Malawi, Barbados, Djibouti and Guinea-Bissau.

*(The sitting closed at 6.40 p.m.)*

Sir John KAPUTIN and Lord PLUMB

*Co-Presidents*

N. P. MAGANDE and J. PRIESTLEY

*Co-Secretaries-General*

**MINUTES OF THE SITTING OF WEDNESDAY, 19 MARCH 1997**

*(97/C 308/03)*

IN THE CHAIR: Lord PLUMB

*Co-President*

*(The sitting opened at 9.20 a.m.)*

1. **Decision, on the basis of Bureau proposals, on action to be taken on individual motions for resolutions**

On the basis of a document communicated to all members, the proposals of the Bureau were accepted.

I. *For vote in the Joint Assembly*

(Authors of motions for resolutions on the same subject are requested to negotiate a compromise resolution)

(a) **Motions for resolutions winding up a debate**

Situation in the Great Lakes region of Africa/Zaire

AP/2061	Benin	Situation Great Lakes
AP/2071	Bertens/André-Léonard	Situation Great Lakes
AP/2072	Baldi et al.	Situation Great Lakes
AP/2073	Carnero/Pettinari	Situation Great Lakes

AP/2103	Pons/Sauquillo	Situation Great Lakes
AP/2114	Fernández Martín et al.	Situation Great Lakes
AP/2119	Aelvoet et al.	Situation Great Lakes
AP/2139	Rwanda	Situation Great Lakes
AP/2133	Rwanda	Situation region Great Lakes/Rwanda
AP/2099	Castagnède, Bertens, André-Léonard	International Tribunal Rwanda
AP/2086	Maij-Weggen	Embargo Burundi
AP/2092	Castagnède et al.	Situation Eastern Zaire
AP/2104	Robles Piquer	Zaire
AP/2137	ACP	Zaire

Somalia

AP/2115	Viola	Somalia
AP/2122	Vecchi	Somalia
AP/2136	ACP	Somalia

Sudan			— Climate change, Sustainable development and environmental questions
AP/2066	Souchet	Sudan	— Health and Medicines
AP/2070	Bertens	Sudan	— Miscellaneous.
AP/2074	Caccavale et al.	Sudan	
AP/2095	Macartney	Sudan	
AP/2123	Schiedermeier	Sudan	
AP/2127	Kinnock, Ethiopia, Eritrea	Sudan	
<i>(i) Situation in specific countries or regions</i>			
Nigeria			AP/2081 Fernández Martín Equatorial Guinea
AP/2069	Bertens	Nigeria	AP/2108 Carlotti et al. Togo
AP/2075	Andrews et al.	Nigeria	AP/2112 Junker Togo
AP/2087	Maij-Weggen	Nigeria	AP/2111 Junker Zambia
AP/2094	Castagnède et al.	Nigeria	AP/2138 Niger Social situation in Niger
AP/2101	Telkämper et al.	Nigeria	AP/2085 Andrews Murder of Brother Timmons, Franciscan missionary, in Kenya
AP/2128	Kinnock	Nigeria	AP/2080 Carnero/Pettinari Western Sahara
Angola			
<i>(ii) Commodities</i>			
AP/2067	Nordmann/Bertens	Angola	AP/2078 Aldo et al. COM in Bananas
AP/2076	Girão Pereira	Angola	AP/2079 Fernández Martín/Robles Bananas
AP/2084	Miranda/Pettinari	Angola	Piquer
AP/2093	Castagnède	Angola	AP/2125 ACP Bananas
AP/2116	Cunha	Angola	AP/2126 ACP Rum
			AP/2131 ACP Sugar
PNG/Bougainville			
<i>(iii) Climate change, sustainable development and environmental questions</i>			
AP/2062	van Putten	Bougainville	AP/2064 van Putten and Trinidad & T. Climate change
AP/2088	Maij-Weggen	Mission to Bougainville	AP/2065 van Putten et al. Sustainable Development
South and Southern Africa			
AP/2117	Schwaiger	Relations South Africa/EU	AP/2090 Maij-Weggen Sustainable development
AP/2129	Kinnock	South Africa	AP/2063 van Putten Protocol (10) forests
AP/2124	Sandbaek	Southern Africa	AP/2102 Aelvoet et al. Dangerous waste
AP/2132	ACP	Southern Africa	AP/2110 Junker Agenda 21
AP/2091	Aelvoet et al.	Exports of beef to South Africa	
AP/2135	ACP	Exports of subsidized EU beef to Southern Africa	<i>(iv) Health and medicines</i>
<i>(b) In application of Article 18(3) of the Rules, motions for resolutions categorized in five headings</i>			
The proposed breakdown was:			
— Situation in specific countries or regions			
— Commodities			
<i>(v) Miscellaneous</i>			
AP/2068	Bertens/André-Léonard		Conflict Prevention

AP/2096	Castagnède et al.	Conflict Prevention
AP/2077	Baldi et al.	Anti-Personnel mines
AP/2134	ACP	ACP-EU trade relations
AP/2082	Fernández Martín et al.	ACP Chamber of Com- merce in the Canary Islands
AP/2089	Maij-Weggen	Infrastructures
AP/2097	Castagnède	Child labour
AP/2083	Nordmann et al.	Abolition of the death penalty
AP/2100	Castagnède	Abolition of the death penalty

## II. *Not to be submitted to the vote*

- (a) to be forwarded to the Bureau in the context of its competence with regard to human rights

AP/2105	Pons Grau	Human rights in Chad
AP/2106	Pons Grau	Human rights in Togo
AP/2107	Pons Grau	Document on the death penalty in Jamaica

- (b) to be forwarded to the General Rapporteur

AP/2109	Junker	Role of the World Bank
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- (c) to be forwarded to the working group on the future of ACP-EU relations

AP/2113	Vecchi/Junker	Future EU-ACP relations
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The Co-President reminded members that the deadline for compromise resolutions on the Great Lakes Region and Zaire was at 3 p.m. that afternoon. For all other resolutions, the deadline was 12 noon on that day.

## 2. Follow-up group on fisheries

(Co-chairmen: Mr Faure (Seychelles) and Mr Morris)

### — Statement on progress

Mr Morris, Co-chairman, announced that Mrs Pery was taking over the European co-chairmanship.

Mr Faure (Seychelles), Co-chairman, outlined the progress of the Follow-up Group's proceedings. The following members spoke: Morris, Pery and the representative of Mauritius. Mr Thiollier, Commission representative, spoke, followed by Mr Faure.

## 3. Meeting with Mr Ismail Serageldin, World Bank Vice-President responsible for environmentally and socially sustainable development

The Co-President welcomed Mr Serageldin, who was accompanied by Mr Voyadzis of the newly opened World Bank Office in Brussels. Mr Serageldin outlined the World Bank's activities in the field of environmentally sustainable development, its work in agricultural development, and its cooperation with the European Union in developing countries. He spoke about the Consultative Group on International Agricultural Research (CGIAR) and illustrated his presentation with slides.

Mrs O'Connell of One World Action (NGO) and Mr Long of the World Wide Fund for Nature (NGO) also spoke. Questions were put by the following members: Gillis, the representative of Ghana, Corrie, Junker, the representative of Zimbabwe, Sir John Kaputin, Co-President, van Putten, the representative of Kenya, Telkämper and McGowan. The Co-President authorized Lord Waverley to put a question.

Mr Serageldin replied.

The Co-President thanked Mr Serageldin for his presence.

## 4. Approval of the minutes of Monday afternoon, 17 March and Tuesday morning, 18 March 1997

The Co-President announced that the minutes would be deemed approved, if no objections had been received by the end of the day.

On a proposal by the representative of Barbados, a minute's silence was observed in memory of Dr Cheddi Jagan, former Prime Minister of Guyana, and Mr Michael Manley, former Prime Minister of Jamaica.

*(The sitting was suspended at 12.25 p.m. and resumed at 3.10 p.m.)*

IN THE CHAIR: Sir John KAPUTIN

*Co-President*

## 5. Substitutes

The Co-President announced the following substitutes:

Mr Garosci (for Mr Baldini)

Mr Martens (for Mrs Glase)

Mr Wiebenga (for Mrs Neyts-Uyttebroeck)

Mrs Carlotti (for Mr Torres Couto)

Mr David (for Mr Paasio).

**6. Future of ACP-EU relations**

Commissioner Pinheiro introduced the debate. The following spoke: the representative of Trinidad and Tobago, Martens, the representative of Barbados, Vecchi, the representative of Uganda, Schwaiger, the representative of Mauritius, Aldo, the representative of Senegal, Souchet, the representative of Kenya, Maij-Weggen, the representative of Zambia, Rocard, the representative of Zimbabwe, Mr Rob Davies, representing South Africa (observer), and Mr Danny Meyer, President of the Federation of national chambers of

commerce, industry and economic operators of the ACP countries (observer).

IN THE CHAIR: CONGO

**7. Situation in certain countries or regions****— Zaire and African Great Lakes Region**

The representative of Zaire introduced the debate. The following spoke: Mr Pons Grau, the representative of Burundi, Mr Robles Piquer, the representative of Rwanda and Mrs André-Léonard.

*(The sitting closed at 7 p.m.)*

Sir John KAPUTIN and Lord PLUMB

*Co-Presidents*

N. P. MAGANDE and J. PRIESTLEY

*Co-Secretaries-General*

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**MINUTES OF THE SITTING OF THURSDAY, 20 MARCH 1997**

(97/C 308/04)

IN THE CHAIR: Lord PLUMB

*Co-President*

*(The sitting opened at 9.15 a.m.)*

**1. Vote on the motion for a resolution on Urban Development in the ACP countries (ACP-EU 1625/A/97)**

The motion for a resolution was adopted unanimously.

On a point of order, Mr Vecchi asked that Item 19 on the agenda — Follow-up to the resolution on refugees and displaced persons in the ACP countries in the context of humanitarian aid policy — be postponed until the next session of the Joint Assembly in October.

**2. Situation in specific countries or regions (continuation)**

— **The Great Lakes Region of Africa**

— **Situation in Zaire**

*Great Lakes Region of Africa*

The representative of the Central African Republic spoke.

IN THE CHAIR: Sir John KAPUTIN

*Co-President*

The following members spoke: Stasi, the representative of the Congo, Bertens, Corrie, Berend, Aelvoet and the representative of Zaire.

IN THE CHAIR: Mrs KINNOCK  
and Mr WELDEGIORGIS (Eritrea)

*Vice-Presidents*

*Somalia*

The following members spoke: the representative of Ethiopia, Vecchi, the representative of Djibouti, Sandbæk, the representative of Ethiopia. Mr Theodorakis, Deputy Director-General of the Commission, replied.

*Sudan*

The representative of Sudan spoke.

IN THE CHAIR: Mrs JUNKER

*Vice-President*

The following members spoke: Kinnock, the representative of Ethiopia, Schiedermeier, the representative of Uganda, Bertens, the representatives of Eritrea, Djibouti and Kenya. Mr Theodorakis, of the Commission, replied. The representative of Sudan concluded the debate.

*Nigeria*

The following members spoke: the representative of Nigeria, Kinnock, Maij-Weggen, Bertens, Cunningham, Kinnock, Thomas and Hallam. Mr Theodorakis of the Commission, replied. The representative of Nigeria concluded the debate.

The chairperson announced that, following a request made by five members, a secret vote would be held on the motion for a resolution on Nigeria.

IN THE CHAIR: Lord PLUMB

*Co-President*

*Angola*

The following members spoke: the representative of Angola, Miranda, Cunha, the representative of Zaire. A question was put by Mr Robles Piquer, to which the representative of Angola replied.

*Papua New Guinea*

The following members spoke: Sir John Kaputin, van Putten, Maij-Weggen, McGowan, the representative of the Solomon Islands, the Ambassador of Papua New Guinea. Mr McGowan spoke on a point of order. Mr Theodorakis of the Commission, replied.

Lord Plumb supported the sending of a fact-finding mission to Papua New Guinea and to the Solomon Islands.

*(The sitting adjourned at 1.20 p.m. and resumed at 3.15 p.m.)*

### 3. Substitutes

The Co-President announced the following substitutes:

Mr Cot (for Mr Baldarelli)

Mr Tomlinson (for Mr Paasio)

Mr Vinci (for Mr Wurtz)

Mr Kellett-Bowman (for Mrs Mouskouri)

Mr Pomès Ruiz (for Mr Viola).

### 4. Vote on motions for resolutions on which the debate had been closed

AP/1801 on ACP fisheries and the 8th EDF. The motion for a resolution was adopted with one amendment.

AP/2148/Comp., replacing AP/2061, AP/2071, AP/2072, AP/2073, AP/2103, AP/2114, AP/2119, AP/2139, AP/2133, AP/2086, AP/2092, AP/2104, AP/2137, on the situation in the Great Lakes region. The compromise resolution was adopted with two amendments.

AP/2099, on the International Criminal Tribunal for Rwanda. The motion for a resolution was adopted, with one amendment.

AP/2143/Comp., replacing AP/2115, AP/2122, AP/2136, on the situation in Somalia. The compromise resolution was adopted with one oral amendment.

AP/2141/Comp./Corr., replacing AP/2127, AP/2070, AP/2095, AP/2123, on Sudan. The compromise resolution was adopted with five amendments.

AP/2152/Comp., replacing AP/2074, on the situation in Sudan. The compromise resolution was rejected.

AP/2146/Comp., replacing AP/2128, AP/2087, AP/2101, AP/2075, AP/2069, AP/2094, on Nigeria. The compromise resolution was adopted by electronic vote.

AP/2142/Comp., replacing AP/2067, AP/2076, AP/2084, AP/2093, AP/2116, on the situation in Angola. The compromise resolution was adopted.

AP/2149/Comp., replacing AP/2062, AP/2088, on the ongoing crisis in Bougainville. The compromise resolution was adopted with one oral amendment.

AP/2144/Comp., replacing AP/2117, AP/2129, on South Africa. The compromise resolution was adopted.

AP/2124, on Southern Africa. The motion for a resolution was adopted.

AP/2132, on the situation in Southern Africa. The motion for a resolution was adopted with six amendments.

AP/2091, on beef exports to South Africa. The motion for a resolution was adopted with one amendment.

AP/2135, on the impact of subsidized EU beef exports. The motion for a resolution was adopted.

##### 5. Consideration and vote on individual motions for resolutions

AP/2147/Comp., replacing AP/2108, AP/2112, on the situation in Togo. Following a request for a separate vote by each group of representatives, ACP members rejected the compromise resolution and EP members accepted it. The compromise resolution was therefore rejected.

AP/2138, on the social situation in Niger. The motion for a resolution was adopted with four amendments.

AP/2080, on Western Sahara. The motion for a resolution was adopted with one amendment.

AP/2151/Comp., replacing AP/2078, AP/2079, AP/2125, on bananas. The compromise resolution was adopted. Ambassador Laurent of the Eastern Caribbean States made a statement. Mr Tomlinson spoke.

AP/2126, on rum. The motion for a resolution was adopted.

AP/2131/Corr., on sugar. The motion for a resolution was adopted with one amendment.

AP/2064, on the action to be taken on the Third Conference of Parties to the Framework Convention on Climate Change (Kyoto, 1997). The motion for a resolution was adopted.

AP/2150/Comp., replacing AP/2065, AP/2090, on the integration of sustainable development in EU development cooperation with ACP countries. The compromise resolution was adopted.

AP/2063, on Protocol 10 on sustainable management of forest resources of the Fourth ACP-EU Convention of Lomé as revised by the agreement signed in Mauritius on 4 November 1995. The motion for a resolution was adopted with four amendments.

AP/2102, on hazardous waste. The motion for a resolution was adopted.

AP/2110, on the special session of the United Nations General Assembly in June 1997 to review AGENDA 21. The motion for a resolution was adopted.

AP/2098, on orphan drugs. The motion for a resolution was adopted with four amendments. One paragraph was withdrawn.

AP/2140/Comp., replacing AP/2118, AP/2121, on fake medicines. The compromise resolution was adopted.

AP/2120, on the international conference in Abidjan on transmissible sexual diseases and Aids in Africa. The motion for a resolution was adopted.

AP/2130, on the eradication of poliomyelitis in Africa. The motion for a resolution was adopted.

AP/2068, on the prevention of conflict in Africa. This motion for a resolution was withdrawn.

AP/2096, on conflict prevention in Africa. The motion for a resolution was adopted with three amendments.

AP/2077, on anti-personnel mines. The motion for a resolution was adopted with one amendment.

AP/2134, on ACP-EU trade relations. The motion for a resolution was adopted with three amendments.

AP/2082, on the creation and budgetary funding of the Secretariat for the chambers of commerce of the ACP countries in the Canary Islands, Spain. The motion for a resolution was adopted with one amendment.

AP/2089, on the implementation by the Commission of the ACP-EU Joint Assembly's resolution on infrastructure and ACP-EU cooperation. The motion for a resolution was adopted.

AP/2097, on the employment of children. Following a request for a separate vote by each group of representatives on amendment 1, ACP members accepted the amendment and EP members rejected it. Amendment 1 was therefore rejected. The motion for a resolution was then adopted with one amendment.

AP/2145/Comp., replacing AP/2083, AP/2100, on the abolition of the death penalty. The compromise resolution was adopted.

##### 6. Follow-up to the resolution on Industrial Development in the ACP countries

[Chairman: Mr Schwaiger; Rapporteur: Mr Swartz (Botswana) (adopted on 20 March 1996 in Windhoek, Namibia)]

Mr Schwaiger gave an account of the current situation and mentioned the need for assessing the quality of cooperation efforts in this field.



**7. Follow-up by the Commission to the resolutions adopted by the Joint Assembly at its 23rd session (Luxembourg, 23-26 September 1996)**

A Commission document setting out the action taken by the Commission on the resolutions adopted in Luxembourg was distributed to members.

**8. Preparation of the 21st annual meeting with the representatives of the Economic and Social Partners on Conditions for successful integration of the ACP States, on favourable terms, into international trade**

Lord Plumb, Co-President, noted that the date suggested by the Economic and Social Partners for this meeting (13-15 October 1997) would cause difficulty for the Joint Assembly and asked that they propose a new date.

**9. Subject of the working group to replace the Working Group on Urban Development in the ACP countries**

Lord Plumb, Co-President, announced that the Bureau's proposal for the subject of the next working group was

'The future of ACP-EU relations'. This was agreed to by the Joint Assembly.

**10. Other business**

On behalf of the Joint Assembly, Lord Plumb expressed its condolences to the family of Mr Robert van Volxem, who was tragically killed in an accident on 18 March.

**11. Date and place of next meeting**

Lord Plumb, Co-President, announced that the venue for the next session remained to be decided. The bureau would seek to organise a fact-finding mission to assess the situation in Togo and would keep the members informed. The date for the next session would be decided by the Bureau. The representative of Togo and Mrs Junker spoke.

**12. Closure of meeting**

Lord Plumb and Sir John Kaputin, Co-Presidents, thanked all the participants and the organizers.

*(The session closed at 4.40 p.m.)*

Sir John KAPUTIN and Lord PLUMB

*Co-Presidents*

N. P. MAGANDE and J. PRIESTLEY

*Co-Secretaries-General*

## ANNEX I

## ALPHABETICAL LIST OF MEMBERS OF THE ACP-EU JOINT ASSEMBLY

## ACP Representatives

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

## European Parliament

AELVOET  
 ALBER  
 ALDO  
 ANDRÉ-LÉONARD  
 ANDREWS  
 ANTONY  
 BALDARELLI  
 BALDI  
 BALDINI  
 BEREND  
 BERTENS  
 BONTEMPI  
 CACCAVALE  
 CARNERO GONZÁLEZ  
 CASINI, Carlo  
 CASTAGNÈDE  
 CHANTERIE  
 CORRIE  
 CUNHA  
 CUNNINGHAM  
 DURY  
 ESCUDERO  
 FASSA  
 FERNÁNDEZ MARTÍN  
 GARCÍA ARIAS  
 GHILDOTTI  
 GILLIS  
 GIRÃO PEREIRA  
 GLASE  
 GROENER  
 HUME  
 JUNKER  
 KINNOCK  
 KOKKOLA  
 KUHN  
 LANNOYE  
 MACARTNEY  
 MCGOWAN  
 MAIJ-WEGGEN  
 MIRANDA  
 MORRIS  
 MOUSKOURI  
 MUSUMECI  
 NEYTS-UYTTEBROECK  
 NORDMANN  
 PASSIO  
 PERY  
 PETTINARI  
 Lord PLUMB  
 PONS GRAU  
 van PUTTEN  
 RACK  
 RASCHHOFER  
 ROBLES PIQUER  
 ROCARD  
 SANDBÆK  
 SAUQUILLO PEREZ DEL ARCO  
 SCHIEDERMEIER  
 SCHMIDBAUER  
 SCHWAIGER  
 SOUCHET

TONGA  
TRINIDAD AND TOBAGO  
TUVALU  
UGANDA  
VANUATU  
WESTERN SAMOA  
ZAIRE  
ZAMBIA  
ZIMBABWE

STASI  
TELKÄMPER  
THOMAS  
TORRES COUTO  
VANHECKE  
VECCHI  
VERWAERDE  
VIOLA  
WURTZ

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ANNEX II

RECORD OF ATTENDANCE

KAPUTIN, Co-President (Papua New Guinea)	Lord PLUMB, Co-President
MILONGO (Congo), VP	KINNOCK, VP
SAFARI (Rwanda), VP	VERWAERDE, VP <sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup>
WELDEGIORGIS (Eritrea), VP	JUNKER, VP
SHIDDO (Sudan), VP	GILLIS, VP <sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup>
BAAH-DANGUAH (Ghana), VP	PONS GRAU, VP
SOMPARE (Guinea), VP	SCHWAIGER, VP
LAURENT (Antigua and Barbuda), VP	ANDREWS, VP <sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup>
FADUL (Dominican Republic), VP	VECCHI, VP
MPONDA (Zambia), VP	ROBLES PIQUER, VP
MANHOMBO (Zimbabwe), VP	NORDMANN, VP <sup>(4)</sup> <sup>(1)</sup> <sup>(3)</sup>
SISILO (Solomon Islands), VP	MIRANDA, VP
PEPSON (Papua New Guinea), VP	TELKÄMPER, VP
BORNITO DE SOUSA (Angola)	AELVOET <sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup>
CHELTENHAM (Barbados)	ALBER <sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup>
ALPUCHE (Belize)	ALDO
ABOUDOU (Benin)	ANDRÉ-LÉONARD
MOGAMI (Botswana)	ANTONY <sup>(1)</sup> <sup>(2)</sup>
YE BONGNESSAN (Burkina Faso)	BALDARELLI <sup>(1)</sup> <sup>(2)</sup>
NAHINDAVYIA NDANGA (Burundi)	BALDI
BASSONG (Cameroon)	BEREND
VEIGA (Cape Verde)	BERTENS <sup>(2)</sup> <sup>(3)</sup>
KOSSI BELLA (Central Africa)	BONTEMPI <sup>(2)</sup> <sup>(3)</sup>
BRA KANON (Côte d'Ivoire)	CACCAVALE <sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup>
ROBLEH OBSIEH (Djibouti)	CARLOTTI [for Baldarelli <sup>(4)</sup> <sup>(1)</sup> , for Torres Couto <sup>(2)</sup> <sup>(3)</sup> ]
OLANGO (Ethiopia)	CARNERO GONZALEZ <sup>(3)</sup>
TAVOLA (Fiji)	CASINI, Carlo
GOULONGANA (Gabon)	CASTAGNEDE
LEESAY (Gambia)	CASTAGNETTI (for Rack) <sup>(4)</sup> <sup>(1)</sup>
PEREIRA (Guinea-Bissau)	CHANTERIE
BIOKO (Equatorial Guinea)	CORRIE
BREWSTER (Guyana)	COT [for García Arias <sup>(4)</sup> , for Baldarelli <sup>(3)</sup> ]
DENIS (Haiti)	CUNHA
RAMTALLIE (Jamaica)	CUNNINGHAM
WETANGULA (Kenya)	DAVID (for Paasio) <sup>(2)</sup>
MALIE (Lesotho)	DURY
WOODS (Liberia)	

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<sup>(1)</sup> Present on 18. 3. 1997.

<sup>(2)</sup> Present on 19. 3. 1997.

<sup>(3)</sup> Present on 20. 3. 1997.

<sup>(4)</sup> Present on 17. 3. 1997.

RABARIVOLA (Madagaskar)  
 MPHANDE (Malawi)  
 TRAORE (Mali)  
 BOISSEZON (Mauritius)  
 BABA (Mauritania)  
 FERREIRA (Mozambique)  
 WOHLER (Namibia)  
 ABDOULMOUMINE (Niger)  
 OLISA (Nigeria)  
 KAGONYERA (Uganda)  
 RENWICK (St. Lucia)  
 JACK (St. Vincent and the Grenadines)  
 SILA (Western Samoa)  
 DIAGNE (Senegal)  
 FAURE (Seychelles)  
 van RITTER (Suriname)  
 DLAMINI (Swaziland)  
 MAGANI (Tanzania)  
 ABBAS ALI (Chad)  
 PERE (Togo)  
 FINEANGANFO (Tonga)  
 CUMBERBATCH (Trinidad and Tobago)  
 LUTUNDULA APALA (Zaire)

ESCUDERO <sup>(1)</sup> <sup>(2)</sup>  
 FABRE-AUBRESPY (for Souchet) <sup>(3)</sup>  
 FASSA <sup>(1)</sup> <sup>(2)</sup>  
 FERNÁNDEZ MARTÍN <sup>(1)</sup> <sup>(2)</sup>  
 GARCÍA ARIAS <sup>(3)</sup> <sup>(1)</sup> <sup>(2)</sup>  
 GAROSCI (for Baldini) <sup>(1)</sup> <sup>(2)</sup>  
 GHILARDOTTI  
 GIRÃO PEREIRA  
 GLASE <sup>(3)</sup>  
 GRÖNER  
 HALLAM (for Hume)  
 HAPPART (for Bontempi) <sup>(4)</sup>  
 KELLET-BOWMAN [for Fernández Martín <sup>(4)</sup>, for Mouskouri <sup>(2)</sup>]  
 KOKKOLA  
 KUHN  
 LANNOYE  
 LIESE (for Stasi) <sup>(3)</sup>  
 MACARTNEY  
 McGOWAN  
 MAIJ-WEGGEN  
 MARTENS [for Alber <sup>(4)</sup>, for Glase <sup>(1)</sup> <sup>(2)</sup>]  
 MORRIS  
 MOUSKOURI <sup>(4)</sup> <sup>(3)</sup> <sup>(1)</sup>  
 MUSUMECI <sup>(1)</sup>  
 PAASIO <sup>(4)</sup> <sup>(3)</sup>  
 PERY  
 PETTINARI <sup>(2)</sup>  
 POMÉS RUIZ [for Escudero <sup>(4)</sup> <sup>(3)</sup>, for Viola <sup>(2)</sup>]  
 van PUTTEN  
 RACK <sup>(1)</sup> <sup>(2)</sup>  
 ROCARD  
 SANDBÆK  
 SAUQUILLO PÉREZ DEL ARCO <sup>(1)</sup> <sup>(2)</sup>  
 SCHIEDERMEIER  
 SCHMIDBAUER  
 SCHNELHARDT (for Glase) <sup>(4)</sup>  
 SOUCHET <sup>(1)</sup> <sup>(2)</sup>  
 STASI <sup>(1)</sup> <sup>(2)</sup>  
 THOMAS  
 TOMLINSON [for Sauquillo Pérez del Arco <sup>(4)</sup> <sup>(3)</sup>, for Paasio <sup>(2)</sup>]  
 TORRES COUTO <sup>(4)</sup> <sup>(3)</sup>  
 VANHECKE  
 VINCI [for Pettinari <sup>(3)</sup> <sup>(1)</sup>, for Wurtz <sup>(2)</sup>]  
 VIOLA <sup>(4)</sup> <sup>(3)</sup> <sup>(1)</sup>  
 WIEBENGA [for Bertens <sup>(4)</sup> <sup>(3)</sup>, for Neyts-Uyttebroeck <sup>(1)</sup> <sup>(2)</sup>]  
 WURTZ <sup>(4)</sup> <sup>(3)</sup>

**Observers:**

*South Africa:*

DAVIES, GRAAFF

**Apologies:**

*European Parliament:*

RASCHHOFER

<sup>(1)</sup> Present on 19. 3. 1997.

<sup>(2)</sup> Present on 20. 3. 1997.

<sup>(3)</sup> Present on 18. 3. 1997.

<sup>(4)</sup> Present on 17. 3. 1997.

*ACP States:*

BAHAMAS, COMOROS, DOMINICA, GRENADA, KIRIBATI, SAINT KITTS AND NEVIS, SÃO TOMÉ AND PRÍNCIPE, SIERRA LEONE, SOMALIA, TUVALU and VANUATU

## Also present:

ANGOLA	GAMBIA	MAURITIUS
GOURGEL	TOURAY	HOSSEN
PASSY		GUNESSEE
MUACHICUNGO	GHANA	SERVANSINGH
PRIMO	ABANKWA	
EQUATORIAL GUINEA	ABAIDOO	NIGER
ECHEK	MAAMAH	DJERMAKOYE
ECUA MIKO	GUINEA	ABDOU-SALEYE
NZANG MIKUE	KEITA	BAZINDRE
ANDEME	KOLINKE	NIGERIA
ETHIOPIA	NABY	OKEKE
LEMMA	OUSMANE TOLO	SHENI
ROBLEH	GUINEA-BISSAU	KENYA
ZENA	MENDES	MUDHO
BARBADOS	GUYANA	MWANZIA
KING	MANN	PAPUA NEW GUINEA
BENIN	HAITI	TAMEI
AGOSSOU	CASSEUS	RWANDA
HINVI	AZOR-CHARLES	FURUMA
BOTSWANA	PIERRE	MUVUNYI
GEORGE	JAMAICA	MANZI BAKURAMUTSA
MOAGI	SAUNDERS	NDUNGUTSE
BURKINA FASO	BARNES	SOLOMON ISLANDS
YODA	CAPE VERDE	BERAKI
OUEDRAOGO	ROCHA	ZAMBIA
TRAORE	CONGO	CHABALA
BURUNDI	BILOMBO	MUSENGE
BAZERUKE	BOBIBA	SENEGAL
KADEGE	DOMBI	GUEYE
NDUWIMANA	KOMBO-KINTOMBO	NDIAYE KANE
NDORICIMPA	MBAMDAKA	NIANG
CÔTE D'IVOIRE	LESOTHO	DIABAKHATE
BANNY	MOHASOANE	SOW
GBA	LECHESA	SOURANG
DOMINICAN REPUBLIC	MAEMA	DIAGNE
QUIÑONES-RODRIGUEZ	NZIMA-NTSEKHE	SEYCHELLES
BROS	MADAGASCAR	MOREL
VAN DER HORST	BERIZIKY	ZIMBABWE
DJIBOUTI	MALAWI	MUKWEKWEZEKE
HASSAN	GOMANI	MUMBENGEGWI
FIJI	NJOLWA	WUTUNANASHE
SINGH	MAURETANIA	MEYER
GABON	MAGAYA	MATSVAYI
EBIBI-MBA	GUELAYE	CHITEKA
ANGUILLE	MOMA	MTHETHWA
ANGUILE	BELLAL	SUDAN
MENSSAN	SABARY	AMBROSE
	MOGUEYA	KHALIL
	VALL	ELSAWI
		HAMID
		OSMAN

<b>SURINAME</b>	<b>TOGO</b>	<b>UGANDA</b>
RAMKHELAWAN	KOFFIGOH	MWAKA
SARDJOE	LAWSON	CHEBROT
LEE-FANG		WNAM
SPIER	<b>TONGA</b>	MUGABI
	ALEAMOTUA	NIAMBI
<b>SWAZILAND</b>		<b>ZAIRE</b>
DLAMINI	<b>TRINIDAD AND TOBAGO</b>	TAMBUKA
NYONI	GORDON	NSUMPI
DLAMINI, M. D.		NAKAMU
	<b>CHAD</b>	<b>CENTRAL AFRICAN</b>
<b>TANZANIA</b>	ZAKARIA	<b>REPUBLIC</b>
SLAA	NODJIGOTO	MAITAR DJIM
KAIGANE	BARMA	MOLOUA
KARUME	WAROU	SOKAMBI

*European Parliament:*

BÉBÉAR <sup>(1)</sup>	LIESE <sup>(1)</sup>
CABEZÓN ALONSO <sup>(2)</sup>	LÜTTGE <sup>(3)</sup> <sup>(4)</sup> <sup>(1)</sup>
CASTAGNETTI <sup>(1)</sup>	NEWENS <sup>(4)</sup>
CHRISTODOULOU <sup>(1)</sup>	ODDY <sup>(3)</sup>
COT <sup>(4)</sup> <sup>(1)</sup>	POMÉS RUIZ <sup>(1)</sup>
DARRAS <sup>(4)</sup> <sup>(2)</sup>	REDING <sup>(1)</sup>
DE LUCA <sup>(1)</sup>	SCHNELLHARDT <sup>(1)</sup> <sup>(2)</sup>
HAPPART <sup>(4)</sup> <sup>(2)</sup>	SMITH <sup>(4)</sup> <sup>(1)</sup>
HORY <sup>(3)</sup> <sup>(4)</sup>	TOMLINSON <sup>(1)</sup>
KOUCHNER <sup>(1)</sup>	WHITE <sup>(4)</sup> <sup>(1)</sup> <sup>(2)</sup>
LARIVE <sup>(2)</sup>	

**ACP-EU COUNCIL OF MINISTERS**

Mr PRONK	President-in-Office of the European Union
Major-General RABUKA	President-in-Office of the ACP Council of Ministers

**ACP COMMITTEE OF AMBASSADORS**

Mr CUMBERBATCH	President-in-Office
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**EUROPEAN COMMISSION**

Mr PINHEIRO	Commissioner responsible for External Relations — ACP, South Africa and Lomé
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**ECONOMIC AND SOCIAL COMMITTEE**

BAEZA  
STRAUSS

<sup>(1)</sup> Present on 19. 3. 1997.  
<sup>(2)</sup> Present on 20. 3. 1997.  
<sup>(3)</sup> Present on 17. 3. 1997.  
<sup>(4)</sup> Present on 18. 3. 1997.

**CENTRE FOR INDUSTRIAL DEVELOPMENT (CID)**

NIJBORG  
 GUILLAUME  
 MAJOS-ROSA  
 MAKÅ

**TECHNICAL CENTRE FOR AGRICULTURAL DEVELOPMENT AND COOPERATION (TCA)**

BURGUET  
 SIKKENS

**ORGANIZATION OF AFRICAN UNITY (OAU)**

LEBA WAWA OSSAY                      Director, Brussels Office

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RESOLUTION <sup>(1)</sup>

## on urban development in the ACP countries

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- having regard to the report on urban development in the ACP countries (ACP-EU 1625/A+B/fin.),
- A. whereas the current urban growth rate in the ACP countries is the highest ever recorded on any continent and is likely to result in African cities absorbing around 575 million new inhabitants over the period 1990-2025, i.e. more than the current total population of Africa, and having regard, in particular, to the links between the urbanization rate and the population growth rate, as illustrated by the West African region, whose urban population is likely to treble by 2020,
- B. whereas urban areas have become the main driving force behind economic growth — including, to a large extent, agricultural growth — in the ACP countries, and whereas in Africa two thirds of wealth is currently generated by urban areas,
- C. whereas many ACP urban areas are experiencing acute problems — which are worsening — in areas as varied as housing, infrastructure, the environment, health and access to education and training; whereas the poorest and most vulnerable sections of the urban population are particularly affected and require priority attention and specific measures,
- D. whereas an urban planning and development policy must consider urban areas as the driving force behind economic growth in the ACP countries; whereas, in this respect, there can be no substitute for economic growth, and effective action against the various aspects of urban poverty — especially as regards the poorest and most vulnerable strata of urban society — must include the introduction of policies and concrete measures at regional, national and local levels to promote economic activity, employment, the production of goods and services and the redistribution of income,
- E. whereas the lack of adequate infrastructure to provide drinking water and drains has direct negative consequences for public health and the lack of infrastructure in the energy sector has harmful effects on the environment as a result of the excessive use of firewood to provide energy, primarily in the home,
- F. whereas, with regard to the environment and public health, many city-dwellers in ACP countries are exposed to various kinds of pollution (water, air, domestic and industrial pollution and especially pollution associated with the absence of satisfactory waste treatment), industrial risks associated with increased industrialization, and industrial accidents; whereas basic infrastructure needs to be developed as an essential prerequisite for an enhanced environment and improved health standards; whereas the adoption and gradual introduction of appropriate legislation to combat pollution, industrial risks and industrial accidents should be promoted,
- G. whereas, with regard to public health, the health problems of the poorest city-dwellers in ACP countries are generally little known and underestimated; whereas priority should be given, in the context of ACP-EU cooperation, to improving knowledge of the health situation of these people and their needs and to devising and implementing appropriate solutions,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

1. Stresses, in particular, that the health situation of children, who constitute a particularly vulnerable section of the population, should form the subject of specific measures and that, more widely, ACP-EU cooperation should draw up specific measures to deal with the growing problem of street children;
2. Calls on the Commission and the ACP States to take account of the important contribution made by women in the urban environment — particularly within the informal production sector and, in the family, as regards health, hygiene and education — and to devise solutions that are geared towards their particular situations and specific needs, especially with regard to housing, employment, training and health;
3. Points out that the statistics show fertility rates to be lower among the urban population than among the rural population and women and men living in towns to be more likely to have access to information on contraception; notes, however, that the urban poor often lack access to high-quality reproductive health services, and calls for due support to be given to the provision of services and information for under-served groups as effective population and reproductive health policies continue to be introduced in the ACP countries;
4. Calls on the Commission to bear in mind that the situation of each ACP country is different and requires a different approach; considers that small island states and states emerging from a period of conflict face particularly difficult circumstances which call for appropriate solutions;
5. Deplores the fact that the Fourth Lomé Convention does not provide for or formulate an urban development policy, that it refers to towns and urban development only in Articles 14 and 155 and that the recent mid-term review of the Convention has not changed the situation; also deplores the fact the Commission's Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century makes no reference to this issue;
6. Stresses that, given current trends and foreseeable economic, social, demographic and political developments, there should be no question of waiting for the renewal of the current Lomé IV Convention before the urgently needed urban planning and development policy is defined;
7. Stresses in the strongest possible terms the vital need to formulate and implement, in the context of ACP-EU cooperation, a global, coherent and sustainable urban planning and development policy in the ACP countries to help put into practice the lessons learnt at international level from international conferences, such as the 1992 Rio conference and, more recently, HABITAT II and the various undertakings made on those occasions;
8. Welcomes the results achieved at the HABITAT II Conference and, in particular, the recognition of the right to housing for all, as stipulated in the Istanbul Declaration, and the fact that local authorities have become full partners in the urban development process and are now recognized as such;
9. Welcomes the ACP-EU efforts, which have already led to significant cooperation in the field of urban policy under successive Lomé Conventions, particularly with respect to urban infrastructure — water, drains, energy and roads — but also with regard to promotion of the private sector, use of counterpart funds resulting from the implementation of structural adjustment plans and decentralized cooperation;
10. Stresses the important role of the European Investment Bank, particularly with regard to urban infrastructure and the promotion of the private sector; calls for measures to ensure the most effective coordination possible between its actions and those administered by the Commission;
11. Regrets the absence of any comprehensive inventory of all projects carried out in the context of ACP-EU cooperation in the field of urban development and the lack of adequate assessment of actions taken; considers that an inventory of projects and an overall assessment of their impact — which should also take account of the experience of other development operators and agencies at international level — would be useful for the formulation and implementation of a global ACP-EU urban development policy; calls on the Commission to undertake this type of work without delay;

12. Calls on the Commission and the ACP States to support scientific research — in Europe and the ACP countries — designed to enable all problems associated with urbanization processes to be better analysed and understood, so that practical lessons may be learnt for the policies to be formulated in this sphere;
13. Considers it essential, therefore, that the necessary human resources be allocated to urban development within the Commission;
14. Calls for appropriate measures of a fiscal, administrative and legislative nature for the promotion of small and medium-sized enterprises and industries; calls for ACP-EU cooperation to take additional measures to promote SME-SMIs in medium-sized towns, and to encourage the informal sector in the same way;
15. Stresses that most ACP countries are faced with major imbalances in the geographical distribution of their population and economic activities and that the problem is worsening owing to demographic pressure; calls on the ACP States, therefore, to establish, with the Commission's assistance, interventionist regional planning policies, to be devised and implemented at regional and sub-regional levels, and aimed, in particular, at developing a balanced network of medium-sized towns;
16. Calls on the ACP States and the Commission to take account of the highly complementary relationship between the development of towns and that of rural regions, in particular neighbouring regions, given that urban growth both relies on agricultural and rural development and contributes to it through the constant exchanges between town and country and every effort should be made to encourage rural dwellers to stay in their own environment by providing assistance to create employment and better living conditions through structural planning and capacity building;
17. Calls on the ACP States to work with the Commission's assistance towards new arrangements for power-sharing between national and regional/local bodies, to bring about some decentralization and greater autonomy for local authorities; these are necessary for the implementation of effective regional planning policies and for a functioning legal and financial system;
18. Calls on the ACP States to take the necessary measures, with the Commission's assistance, to ensure that as powers are increasingly transferred to local level, local and municipal business is effectively conducted by democratically elected local authorities;
19. Stresses the considerable interaction between the various problems and sectors in the field of urban development — infrastructure, environment, public health — and calls on the Commission and the ACP States, therefore, to establish crosssectoral analyses and action plans capable of identifying such interaction and to take coordinated action in all sectors with a view to ensuring rational progress is made across the board;
20. Calls for the factors limiting access to land and housing, to be assessed and modified; calls, in particular, for easier arrangements for granting credit to all people, and especially women;
21. Notes the development and diversification of irregular patterns of land occupation and housing construction and calls for greater importance to be attached to projects to legalize urban development and operations to remodel illegal developments;
22. Considers that NGOs, district organizations and women's and young people's representatives must be more closely involved in all areas of urban development and the implementation of projects, to ensure that measures are better adapted to actual needs;
23. Calls on the ACP States, with the Commission's assistance, to take the necessary measures to ensure the participation of those concerned in drawing up and implementing projects so that such projects are geared towards the real needs of the people and the financial participation of consumers of goods and services and users of the various infrastructures is facilitated;

24. Calls on the Commission and the ACP States to adopt a more regional and subregional approach and increase cooperation at these levels in the planning and creation of infrastructure and to ensure the effective management and maintenance of infrastructure in order to guarantee the sustainable nature of investment;
  25. Stresses that, given the considerable funding which will be needed for urban investment and the development of towns in the coming decades and especially for the creation of basic infrastructure, a significant reallocation of financial and budgetary resources to this sector and a redistribution of financial resources between central government and local authorities seem necessary in many ACP countries; calls on the ACP States to take all appropriate measures as soon as possible with the Commission's assistance;
  26. Calls on the ACP States to ensure, with the Commission's assistance, that the present legal systems permit the required greater involvement of the private sector and foreign investment and admit joint ventures;
  27. Calls on the ACP States to create, with the Commission's assistance, effective new credit mechanisms and institutions for local authorities and, in particular, to enable these authorities, to gain access to appropriate international funding;
  28. Considers that, in the context of ACP-EU cooperation, decentralized cooperation is a particularly appropriate instrument and approach for meeting urban development and, more generally, regional development requirements; draws attention in this context to new Articles 251a to 251e in the revised text of the Convention, emphasizing that decentralized cooperation operations may be financed with the financial resources allocated both to the National Indicative Programmes and to the Regional Indicative Programmes;
  29. Stresses that, in view of the growing complexity of the problems to be solved, municipalities must be provided with teams of competent managers and technicians; calls for ACP-EU cooperation to make a significant contribution in this field;
  30. Calls for the increased conclusion of cooperation agreements between local and municipal authorities of ACP countries and EU Member States, to promote the indispensable exchange of information, experience and technical and administrative personnel;
  31. Calls for ACP-EU cooperation to promote the development of a more effective private sector, particularly with regard to the building of housing, the provision of urban amenities for waste management and the production and use of local materials, which are likely to be both better suited to needs and more affordable for users; stresses that the promotion of these sectors may help to revitalize the economy by revitalizing domestic demand;
  32. Calls on the Commission and the ACP States to arrange regional meetings with the EU Member States and to itemize the procedures for implementing the HABITAT II agenda;
  33. Instructs its Co-Presidents to forward this resolution and the accompanying report to the ACP-EU Council, the Commission, the governments of the ACP States and the Member States of the European Community.
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RESOLUTION<sup>(1)</sup>

## on ACP fisheries and the eighth EDF

*The ACP-EU Joint Assembly,*

- meeting in Brussels (Belgium) from 17 to 20 March 1997,
- having regard to the resolution on fisheries in the context of ACP-EEC cooperation, adopted in Brussels (Belgium) on 7 October 1993<sup>(2)</sup>,
- having regard to the deliberations of the follow-up group on fisheries in the context of the Lomé Convention,
- having regard to the fisheries agreements between the European Community and 14 different ACP countries,
  - A. having regard to the fact that fisheries agreements between the EC and ACP countries, while basically commercial in nature must be coherent with cooperation policy,
  - B. having regard to the need to develop the fisheries sector in the ACP countries,
  - C. having regard to the possibilities provided by the EDF for assisting the ACP fisheries sector, notably artisanal fishing,
  - D. having regard to the indicative programmes already signed and those being signed for the 8th EDF,
    - 1. Notes that given the limited funds available under the EDF, its funds have not been primarily used to assist in the development of the fisheries sector in ACP countries;
    - 2. Recognises that ACP countries must make difficult choices regarding the use to be made of EDF funds, and that, in many cases, the requirements of other sectors are seen as more pressing than those of the fishing sector;
    - 3. Encourages, nevertheless, ACP Governments to take account of the development potential of the fishing sector and related services, as a potential source of high-protein food, employment and economic and social development when deciding on the use to be made of resources allocated under the 8th EDF;
    - 4. Calls for particular attention to be given to increasing the ACP countries' administrative capacities in the fields of resource management, scientific research, biological rest periods and maritime surveillance;
    - 5. Calls for particular attention to be paid to the artisanal fishing sector, which is highly vulnerable in the face of organized commercial fishing by international operators, including EC boats using the facilities provided under fishing agreements;
    - 6. Calls on the EU to mobilize additional financial support to permit development measures to be undertaken independent of the Regional Funds or of current schemes for financial compensation in respect of the catches allowed under fishing agreements;
    - 7. Calls upon the EU to implement the consultative mechanisms provided for in the fishing agreements as often consultations take place only upon the renewal of the Agreements;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

<sup>(2)</sup> OJ C 14, 17. 1. 1994, p. 22.

8. Hails the adoption of the Code of Conduct on Responsible Fishing by the FAO in October 1995 and calls on the contracting parties to uphold the spirit and letter of this code;
9. Commits private ACP/EU operators to undertake specific development measures in the form of joint undertakings, Joint Ventures, technology transfer and other forms of partnership, particularly those linked to the acquisition of production equipment such as ships, including idle fishing vessels (either on lease or on the basis of joint ventures), processing factories and related industries and services;
10. Calls upon ACP States to improve on their individual and collective negotiating capabilities when negotiating new fishing agreements with the European Commission and to place the interests of their nations at the forefront;
11. Calls upon the EU to recognise that the alternative patterns of exploitation of fishing resources of ACP states now being developed make a more direct contribution to the wider social and economic development of ACP countries in a manner more wholly consistent with the EU development policy objectives;
12. Calls upon ACP countries to quickly switch to alternative patterns of exploitation of its fisheries, as fostered under fishing agreements, which are principally designed to satisfy the needs of the EU fishing fleet and needs of the EU market, which is not necessarily consonant with the principles of promoting sustainable social and economic development of ACP States and integrating ACP economies into the world economy;
13. Welcomes the provisions in fishing agreements for specific areas to be reserved for artisanal fishermen, calls for the enforcement of these areas, the extension of this practice and for greater protection to be provided to artisanal fishermen in future agreements;
14. Calls on the ACP countries concerned and on the Commission to include in the context of wideranging consultation, representatives of the fisheries sector and in particular artisanal fishermen and women in the negotiations of future fishing agreements with all countries having an artisanal fishing sector;
15. Encourages the establishment of marine parks and protected areas to conserve the aquatic bio diversity and the renewal of the resources on which fisheries depend;
16. Deplores the fact that once again the ACPs' views on the rules of origin with regard to fishery products, expressed throughout the negotiations of Lomé II, III, IV and the revised Lomé IV, have been disregarded;
17. Calls upon the contracting parties to reacknowledge the coastal ACP States' right to the development and rational exploitation of their fishery resources in all waters within their jurisdiction and, consequently, the need to modify the rules of origin;
18. Reiterates the view expressed by the ACP representatives and renews the Assembly's request that all catches made in waters on which ACP States exercise sovereign rights and which are obligatorily landed in ACP ports for processing and export to the EU markets should enjoy originating status while ensuring that such arrangements do not benefit third parties to the detriment of the ACP and EU;
19. Calls upon the European Commission and the Governments of the Member States to relax the implementation mechanisms of the rules of origin with respect to fishery products with immediate effect so as to enable increased quantities of fishery products from ACP States to be sold on the EU market and to absolve ACP States from paying indemnities to EU importers who are in the first place penalized by EU Member States' Customs Unions;

20. Welcomes the revision in Lomé IV bis with regard to the provision of Protocol 1 to increase the annual quantity of canned tuna and tuna loins to 4 000 tonnes and 500 tonnes respectively which ACP States are allowed to export to the EU market under the provision of automatic derogation, but notes that it falls well short of the ACP demand for 10 000 tonnes;

21. Calls on the European Union Member States and the Commission to consider favourably requests from ACP States for flexibility and the extension by a period of two years of the present derogation to enable them to modernise their canneries so as to conform with the new EU Regulation 91/493/EEC on norms and standards for fishery products — bearing in mind that the continuation of the derogation is important in order not to penalise ACP exports, especially of canned fish products, to the EU;

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

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

#### on the situation in the Great Lakes region

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - recalling its previous resolutions on the situation in the different countries of the Great Lakes region,
  - having regard to the declaration of the Dublin European Council and the subsequent statement of the General Affairs Council of 20 January 1997,
  - having regard to the recent mission of Commissioner Bonino to Zaire,
  - having regard to the UN Security Council Declaration of 7 February 1997,
  - having regard to developments in the political and military situation in Zaire and the other countries of the region,
- A. extremely concerned by the escalation of the conflict in Zaire and by the presence of foreign troops and mercenaries in the area,
- B. fearing for the fate of the hundreds of thousands of refugees and displaced persons still present in Eastern Zaire, who are threatened by the ongoing fighting, malnutrition and disease,
- C. deploring the deep divisions of the EU Council which, added to the position adopted by the United States, have effectively prevented the deployment of the multinational force that could have prevented the escalation of the conflict and saved the lives of many defenceless civilians,
- D. having regard to the demographic, geopolitical and strategic importance of Zaire in the African context of the OAU and the ACP Group,

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- E. disturbed by the continuing massacres in Burundi and by the lack of any prospect for a negotiated settlement between the warring parties, despite the mediation efforts of ex-President Nyerere and EU Special Envoy, Mr Ajello,
- F. noting the OAU's appeal to countries in the region to make an objective assessment of sanctions against Burundi,
- G. shocked by the recent murders and attacks committed in Western Rwanda against foreign personnel and by the grave threat to the reintegration of refugees and to the reconciliation process,
- H. deploring the fact that the UN International Tribunal for Rwanda, set up in Arusha, seems at present unable to fulfil its mission,
1. Condemns the state of war in Zaire that constitutes a grave threat to the stability of the region and endangers the lives of hundreds of thousands of civilians;
  2. Affirms its attachment to the principles of the inalterability and inviolability of the borders of Zaire and neighbouring countries;
  3. Condemns the presence of foreign troops and mercenaries in Zaire; calls on all foreign governments presently involved in the conflict to withdraw their troops and refrain from any further interference;
  4. Calls on the OAU and the EU Council to overcome any divisions, promote a major initiative to actively support the mediation effort of the United Nations and contribute to establishing a means of access to refugees through which humanitarian aid can transit;
  5. Offers its cooperation to take an active part in such mediation;
  6. Strongly supports the holding of a 'Regional Conference on Peace, Security and Stability' envisaged by the European Commission and the Council of the Union with a programme based on defence of the population's interests, democracy and respect for human rights;
  7. Calls on the Commission, the UNHCR and the World Food Programme to step up humanitarian supplies to the hundreds of thousands of refugees and displaced persons still trapped in Eastern and Central Zaire;
  8. Condemns the continuing massacres of innocent civilians in Burundi and urges the warring parties to stop atrocities;
  9. Invites the Burundi Government and the various political movements in Burundi to commence, without hesitation, a political process of national dialogue with a view to achieving institutional transition by consensus, that can put an end to the violence in the country;
  10. Calls on the international community to continue to supply its humanitarian assistance to Burundi;
  11. Condemns the recent murders and other attacks committed in Western Rwanda against members of international humanitarian organizations and urges the Rwandan Government to conduct thorough investigations in order to bring those responsible for such murders to justice;
  12. Calls on the authorities of Rwanda and Burundi to do their utmost to ensure the security of representatives of the humanitarian agencies;



13. Considers that the activity of the International Tribunal for Rwanda is a key factor to stability in the region and underlines the absolute necessity of bringing to justice those responsible for the 1994 massacres in Rwanda, as a fundamental measure to prevent further conflict;
14. Calls on the EU and ACP States which have not yet done so to adopt the necessary legislation to ensure full cooperation with the International Tribunal for Rwanda;
15. Is convinced that the situation in the countries in the African Great Lakes region will ultimately only be stabilized if the process of democratization is relaunched in those countries, in particular by organizing democratic elections;
16. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the signatory states of the Lomé Convention and the UN and OAU Secretaries-General.

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

##### on the International Criminal Tribunal for Rwanda

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. whereas ever since it was set up the International Criminal Tribunal for Rwanda has had serious difficulties, of a financial, administrative and logistical nature, which have prevented it from starting work,
- B. noting that as a result the first trial did not start until 9 January 1997, although the Tribunal was instituted by the UN Security Council Resolution of 8 November 1994,
- C. deploring the very inadequate resources available to the Tribunal to carry out its task, and the inconsistency of some provisions governing its operation,
- D. pointing out, in particular, that the Prosecutor General of the International Criminal Tribunal for Rwanda and the Deputy Prosecutor are based respectively in The Hague and Kigali, while the other agencies of the Tribunal are situated in Arusha,
- E. whereas this decentralization is one of the factors that most seriously undermines the effectiveness of the work of the ad hoc Criminal Tribunal for Rwanda, while the Hague Tribunal has more favourable working conditions,
- F. noting the decision taken at the beginning of March by the UN Secretary General to accept the resignations of the Registrar and the Deputy Prosecutor, suspected of serious management errors,
- G. recalling, however, that the judges are in no way implicated and that numerous procedures have been started,
- H. whereas those problems cannot call into question the principle of an international court to try the perpetrators of genocide, such as the genocide committed in Rwanda in 1994,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- I. recalling that the States' cooperation, in all respects (financial contributions, collection of evidence, arrest of persons implicated in the genocide, etc.), is crucial to the success of the ad hoc Tribunal's mission,
- J. bearing in mind the progress made in establishing an International Criminal Court and the decision of the United Nations General Assembly to convene a Diplomatic Conference in 1998 to set up that Court,
  1. Calls on the United Nations to do everything possible to provide that International Criminal Tribunal, as soon and as fully as possible, with the resources to complete its mission successfully;
  2. Calls on all European Union and ACP States to cooperate fully with the ad hoc Criminal Tribunal for Rwanda, in particular by making a financial contribution to its operation and by adopting the necessary internal legislation;
  3. Reaffirms its support for the principles on which the ad hoc Tribunal is based, which cannot be called into question;
  4. Considers that the difficulties encountered in the operation of the ad hoc Tribunal demonstrate the urgent need to establish a Permanent International Court as soon as possible;
  5. Invites, consequently, the Member States of the Lomé Convention to continue to support, within the UN, a common position on the need to establish the Permanent International Court in 1998 at the latest;
  6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and to the UN Secretary-General.

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

##### on the situation in Somalia

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

— having regard to its previous resolutions on the situation in Somalia,

- A. whereas the political, social and economic situation in Somalia is entering a phase of rapid change, to which the international community should be particularly attentive with a view to supporting the positive aspects thereof,
- B. welcoming the relentless efforts exerted by the IGAD member countries in their research for a durable solution for Somalia and in particular the Sodere agreement in Ethiopia of January 1997, which brought together 26 Somali political organizations culminating in the creation of a National Salvation Council, as well as the Consultative meeting of Nairobi of October 1996, which brought together three major Somali factions,
- C. encouraged by the commitment expressed to move the peace process to a higher plane and the resolve to overcome present difficulties in the preparation for the forthcoming conference in Bossaso, Somalia,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- D. whereas the political and security situation differs from one region to another and is still precarious in many urban centres, especially in Mogadishu,
- E. whereas this situation of instability has until now hampered international aid and had dramatic consequences for the civilian population which, in vast areas of the country, is still without adequate food and essential services (water supplies, health services, education, etc.),
- F. whereas on 12 December 1996 the United Nations sent out an urgent appeal for funds to assist Somalia and prevent a further humanitarian crisis,
- G. whereas it is of the utmost importance that subsisting problems be resolved in Somalia, both for the sake of the Somali people and for the stability of the region of the Horn of Africa as a whole,
- H. whereas the clan warfare has made it impossible to restore a proper institutional framework at national level and this has in effect prevented Somalia from ratifying the Fourth Lomé Convention and, hence, from benefitting from the ECU 111 million earmarked under the Seventh European Development Fund,
- I. whereas the ACP-EU Joint Assembly has, on many occasions, asked the Council and the Commission to consider Somalia, despite everything, as a party to the Lomé Convention and to identify all political and legal instruments which will allow the Somali people to benefit from the whole range of aid and cooperation measures contained in the Convention,
- J. whereas on 30 June 1996 the ACP-EU Council confirmed Somalia's political accession to the Lomé Convention, which enabled the Commission to adopt an initial rehabilitation programme (ECU 47 m) in July 1996 and paved the way for further aid programmes,
- K. whereas, wherever political and security conditions have allowed, humanitarian aid and support for economic activities with a view to reorganizing essential services have produced significant results,
- L. having regard to all the efforts made by the European Union over the last few years to help Somalia meet its most urgent needs in terms of reconstruction and economic regeneration,
- M. whereas Somalia is considered an 'ACP country which traditionally exports bananas' to the European Union,
- N. whereas the Commission intends to reduce the status of the European Union's office for Somalia, situated in Nairobi (Kenya),
- O. having regard to the positive role which the SACB (Somalia Aid Coordination Body) has so far played, by helping to create the conditions for international aid and to coordinate the actions of the main donors, national agencies and NGOs working in Somalia,
1. Makes an urgent appeal to all the Somali factions to observe the ceasefire agreement and engage seriously in a national peace process, with a view to initiating the reconstruction of the country;
  2. Urges all Somali political groups who were participating at the Sodere meeting to redouble their efforts in the realization of the Agreement and strongly appeals to other Somali political groups who did not take part in that meeting to do so in the search for a comprehensive settlement to the conflict and in the interest of peace, prosperity and development for Somalia and the region at large;

3. Calls upon the international community, in particular the UN, EU and Inter-governmental organizations, including the Arab League and the Organization for the Islamic Conference to closely coordinate their efforts with the OAU and IGAD in the search for a solution to the conflict in Somalia;
4. Expresses its support for the efforts of the OAU, the IGAD and UN envoys, the EU and the Italian Government, which have made the present ceasefire agreement possible;
5. Insists that the Council of the European Union should develop its own coherent policy on Somalia, making it possible to support political initiatives aimed at the achievement of peace in the country;
6. Appeals to the international community, particularly the EU to make available additional resources with a view to combating poverty, fostering functional cooperation agreements necessary to strengthen peace areas and to encourage the regeneration of other areas and communities; and in this endeavour to give due consideration to the role of women and the inclusion of community based organizations as operational partners in decision-making process for relief and rehabilitation;
7. Reiterates its request to the Commission, the EU Council, the ACP-EU Council and the Committee of Ambassadors immediately to identify instruments to enable Somalia and its people to enjoy the benefits of the Fourth Lomé Convention, as called for on several occasions by the ACP-EU Joint Assembly and the ACP-EU Council;
8. Considers it vital that the special reconstruction programme for Somalia, to which ECU 47 million have been allocated, be rapidly implemented and properly used, especially for the most vulnerable sections of the population, the reconstruction of essential social infrastructure, support for economic regeneration and, in particular, agriculture, stockbreeding and fisheries;
9. Calls on the ACP-EU Council to propose a legal instrument to enable Somalia to gain access to the resources of the NIP of the Seventh and Eight EDF and the Regional Indicative Programmes, despite the absence of national authorities empowered to ratify the Fourth Lomé Convention;
10. Considers that the exceptional nature of the situation in Somalia calls for the adoption of legal, political, economic and administrative instruments of an unusual kind to enable the Commission to use the resources of the EDF not only for recovery programmes, but also for long-term development programmes;
11. Calls on the Commission, and in particular ECHO, to monitor the food supply situation in Somalia in order to prevent a famine situation from arising and to provide, if necessary, for an emergency aid programme, taking due account of the impact on the most vulnerable sections of the population;
12. Reiterates its request to the Commission to guarantee full implementation of the 'banana protocol' and Council Regulations 404/93 (banana COM) and 2320/96 (extension of system of aid to ACP banana producers) for Somalia and Somali banana producers, thereby finally enabling them to use and benefit from all the trade and financial instruments provided for in these provisions;
13. Calls on the Commission and the EU Council to devise appropriate practical measures to provide Somali exports (in particular bananas) with adequate administrative and customs protection, by guaranteeing, among other things, duty-free access for goods and quantities entering the European Union;
14. Considers that the Commission's decision to reduce the status of the office of the European Union Special Envoy to Somalia, located in Nairobi, is extremely serious and urges that this decision be revoked;

15. Considers it necessary to maintain a separate Somalia Unit, with a separate EU Special Envoy, as this is essential for maintaining a strong link between rehabilitation and restoration of peace;
16. Considers that the role of the Special Envoy has been and will continue to be essential for the Union to maintain adequate relations with its Somali counterparts and with NGOs working in Somalia and for continuing to guarantee the operation of the SACB, as a key means of coordination and interaction between UN agencies, donors and NGOs;
17. Expresses further grave concern over the piracy of fish in the territorial waters of Somalia, as well as the continued illegal dumping of nuclear and other hazardous industrial waste in that country, in contravention of international law, and appeals to the international community to take urgent steps to prevent these practices;
18. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations and the OAU.

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

##### on Sudan

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

— recalling its previous resolution on human rights violations in Sudan,

- A. noting that there has been a serious escalation in the civil war in Sudan, and deeply concerned that this turn of events is causing humanitarian tragedies in the communities in southern Sudan, the Nuba Mountains, the southern Blue Nile, Northern Bahr el Ghazal and in Eastern Sudan and, more generally, that it is causing mounting regional tension and instability throughout the Horn of Africa,
- B. concerned that access to the affected communities in the war zones of Nuba Mountains, Upper Nile, Bahr el Ghazal and Blue Nile which are in desperate need of a regular flow of humanitarian relief is often obstructed by the Sudanese authorities,
- C. deeply concerned that the humanitarian crisis is likely to deepen in the coming months and aware of the UN appeal for US\$ 120 million for emergency humanitarian assistance to meet the needs of the estimated 4,2 million war-affected and displaced in Sudan, many of them struggling to cope with chronic malnutrition and the alarming increase of infectious diseases,
- D. deeply concerned by indiscriminate aerial attacks against civilian targets by the forces of the NIF regime in Khartoum,
- E. concerned that escalation of fighting will lead to a further deterioration of the already grave human rights situation in Sudan, and by alarming reports indicating widespread arrests of Government opponents by Sudan's security apparatus under arbitrary and illegal security laws and torture in reopened secret unacknowledged detention facilities commonly known as 'ghosts' houses',

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- F. reiterating its belief that the IGAD peace initiative is currently the only avenue available to achieve a just and peaceful resolution of this conflict, based upon essential principles of the right of self determination and the separation of state and religion, and that this process has been systematically obstructed by the NIF regime in Khartoum,
- G. aware that the IMF is about to expel Sudan from the Fund as the country is failing to reform its economy and to repay sufficient instalments on its US\$ 1,7 billion arrears,
- H. aware that the NIF regime in Khartoum is engaged in a frantic exercise to externalize the causes of the civil war between the forces of the Sudanese National Democratic Alliance (NDA) and those of the moribund dictatorship of the NIF regime in an effort to deceive international opinion,
- I. pointing out that the Islamist regime in power since the 1989 coup has banned political parties, trade unions and political meetings;
- J. also pointing out that the UN Commission on Human Rights in Geneva has repeatedly condemned the Sudanese regime over the last four years,
- K. concerned by the report of the Special Rapporteur of the UN Human Rights Commission regarding the situation of human rights in Sudan, especially with regard to refugee camps, disappearances of citizens in armed conflict areas and the ensuing human suffering,
1. Deplores violations of the sovereignty and integrity of countries in the Horn of Africa by the Government of Sudan and the disturbance to security in the Horn of Africa which this causes;
  2. Insists that all warring factions agree to a cease-fire and stop all atrocities before they proceed to the negotiating table as recommended by the international community;
  3. Condemns the obstruction of humanitarian assistance to the people of Nuba Mountains and other areas by the Government of Sudan and requests the United Nations to challenge the Government of Sudan to ensure immediate and free access for humanitarian organizations and Operation Lifeline Sudan;
  4. Condemns the NIF regime's unfounded and vicious accusations against its neighbours for what is purely an internal war between it and the NDA;
  5. Urges the EU and its member states to respond to the appeals of the UN DHA for US\$ 120 million for emergency humanitarian assistance to Sudan;
  6. Urges the immediate release of all political prisoners unless they are to be charged with a criminal offence and brought to a fair trial without delay;
  7. Condemns the forced recruitment of youngsters by parties to the conflict, and the bombing and raiding of civilian objects by the Sudanese Government;
  8. Calls upon the Sudanese Government and the other parties to the conflict to respect international humanitarian law and human rights, to end the practice of forced recruitment, attacks of non-combatants and civilians targets and any other indiscriminate attacks;
  9. Condemns the Sudanese Government in the strongest terms for its failure to comply with the requests of the Central Organ of the OAU Mechanism for Conflict Resolution, and with resolutions 1044, 1054 and 1070 of the UN Security Council urging the Sudanese Government to extradite to Ethiopia the three men allegedly involved in the 26 June 1995 attempt to assassinate Egyptian President Mubarak;

10. Urges the Sudanese Government to cooperate fully with the UN Committee on the Rights of the Child, the UN Working Group on Contemporary Forms of Slavery and the UN Human Rights' special rapporteur on Sudan in their investigations of reported violations of human rights;
  11. Calls upon the EU to assist the UN financially to ensure the speedy and effective implementation of resolution 1995/77 passed by the United Nations Human Rights Commission on March 8, 1995, calling for the deployment of human rights monitors in such locations as would facilitate improved information flow and assessment and would help the independent verification of reports on the situation of human rights in the Sudan;
  12. Urges the IMF to regard significant cuts in the defence and security budgets of the Government of Sudan as a pre-condition for the successful implementation of IMF prescribed economic reform and requests the IMF and the African Development Bank to refrain from granting any facilities for as long as the Government of Sudan fails to comply with the requests of the OAU and the UN Security Council and fails to prevent gross human rights violations;
  13. Calls upon the IGAD to stick to its Declaration of Principles as an agenda and basis for future political negotiations; despite the bleak prospects of a negotiated just and lasting peace;
  14. Urges the IGAD countries to identify opportunities to involve representatives of Sudan's civil society, most notably those involved in peace making and reconciliation initiatives on community levels, in future peace initiatives;
  15. Supports the implementation of UN resolution 1070 imposing a ban on all aircraft, either registered in Sudan or owned, leased, or operated by or on behalf of Sudan Airways from taking off from, landing in or overflying other national territories, and a closure of the offices of Sudan Airways abroad;
  16. Calls on the international community to maintain sanctions against the Government of Sudan and on the EU not to resume development cooperation until the Government of Sudan refrains from human rights violations and denial of humanitarian relief to sectors of its own people;
  17. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission, the OAU, the UN, the UNDP, the IMF, the ADB and the Government of Sudan.
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RESOLUTION<sup>(1)</sup>

## on Nigeria

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. deeply concerned at the maintenance in power through the use of force of the military regime led by General Sani Abacha, following the annulment of elections in 1993, at the continued detention without trial of the winner of the 1993 elections, Chief Moshood Abiola, and at the regime's clear intention — as evidenced in the local elections which took place on 15 March 1997 — of conducting a transition programme on terms designed to exclude opposition groups from participation,
- B. disturbed by the reports of international human rights organizations and institutions about continuous human rights violations, public executions and violations of the right to freedom of expression,
- C. concerned that despite the sanctions imposed by the EU, arbitrary arrest, extrajudicial and summary executions, disappearances, cases of torture and ill-treatment of human rights and pro-democracy activists still continues,
- D. concerned that the rights provided for in the Convention on the Rights of the Child still have no legal status in Nigeria as proved by the low age of criminal responsibility, the conditions and treatment of children in detention and the lack of necessary safeguards against excessive use of force against children by law enforcement officials,
- E. whereas two and a half years after the electoral process was violently suspended the military government is still using violence to remain in power, and the continuing arrests of political leaders and representatives of civil society point to the undemocratic and dictatorial nature of that military regime,
- F. greatly disturbed that many prisoners of conscience remain in detention in terrible conditions and that many more continue to be arrested, and that the 'Ogoni 19' will face trial before a special tribunal of the same type that sentenced Ken Saro Wiwa and eight other Ogoni activists to death in November 1995,
- G. whereas the municipal elections, due to be held in December 1996, have been postponed indefinitely,
- H. deploring the Nigerian Government's refusal to permit the UN special rapporteurs on the independence of judges and lawyers and on extrajudicial, arbitrary and summary executions to conduct a fact-finding mission to Nigeria on their standard terms of reference, and welcoming the decision by the UN not to proceed with its mission on this basis,
- I. noting with regret that the dialogue between the Commonwealth and the Nigerian authorities has led neither to any improvement in the human rights situation nor to the expected free democratic order,
- J. welcoming the extension for a further six months of the limited measures which the European Union has taken against Nigeria, but regretting that more forceful measures, in line with this Assembly's recommendations, have not been adopted,
- K. regretting that international oil companies are still operating in Ogoni country despite human rights violations and environmental degradation,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).



- L. convinced, however, that despite the sanctions introduced at international level and, in particular, those decreed by the European Union, only measures aimed at isolating the country economically, in particular through an oil embargo, are liable to oblige the Nigerian regime to establish a democratic constitutional system,
- M. reaffirming its condemnation of the execution in November 1995 of Mr Ken Saro Wiwa and eight other Ogoni ecologist activists, members of the Movement for the Survival of the Ogoni People (MOSOP), following a series of iniquitous trials of a political nature and the murder in June 1996 of the wife of the President elected democratically in June 1993, Moshood Abiola, who has been in prison since June 1994,
1. Condemns the Nigerian military regime for its continuing brutal repression of those who oppose its rule and calls on the Council, the Commission and Member States to strengthen the measures currently in place to put pressure on the Nigerian government and to ensure that they are strictly enforced;
  2. Appeals to the international community, the EU and the Commonwealth in particular, to continue exercising sanctions until the Nigerian regime stops its atrocities against its population, especially children, and embarks on a realistic democratization process;
  3. Insists on the immediate and unconditional release of all political prisoners and detainees imprisoned for the non-violent expression of their political views, including human rights defenders and Mr Moshood Abiola, unless they are to be charged and tried promptly and fairly with full rights of defence;
  4. Considers that current arrangements for a return to civilian rule by October 1998 in Nigeria do not represent a genuine democratic process;
  5. Calls on the Nigerian Government to engage the opposition in a constructive dialogue to resolve the country's current political deadlock so that an interim government headed by Chief Abiola can be established to oversee free and fair democratic elections;
  6. Calls on the Nigerian Government to compensate financially all victims of human rights violations, and in particular the relatives of Ken Saro Wiwa and his co-accused, as recommended by the April 1996 fact-finding mission of the UN Secretary-General;
  7. Calls on the Commonwealth to expel Nigeria at the next Heads of State meeting on the grounds that the Harare principles have not been respected, and to step up measures taken against the regime on the basis that its efforts at dialogue with the Nigerian Government have so far failed to produce any significant progress in terms of progress towards democracy, respect of human rights and the rule of law;
  8. Notes that the sanctions currently applied by the European Union against Nigeria have not really been effective, and therefore calls on the European Union to be vigilant about the effective impact of the implementation of its sanctions;
  9. Calls, once again, on the European Council to implement the following measures:
    - an embargo on the exploitation of Nigerian oil;
    - freezing of financial assets held in the EU by the Nigerian Government and of members of the Provisional Ruling Council and Federal Executive Council and their families;
  10. Repeats its call for a total ban on arms exports to Nigeria from the European Union, including exports relating to contracts signed before the current embargo came into effect, and for the introduction of a case-by-case review, with a presumption of denial, on all 'dual use' equipment which may have both military/security and civilian purposes;

11. Calls on the Member States not to grant visas to members of the Nigerian regime;
12. Calls on the European Union Member States to grant refugee status to Nigerians in exile who are opposed to General Abacha's military regime, as provided for in the Geneva Convention on Refugee Status;
13. Calls on the Union to step up humanitarian assistance to the Nigerian people, in particular to the most vulnerable and those likely to be affected by the sanctions imposed against the regime;
14. Invites members of official Nigerian political parties due to visit the EU in April and members of the Nigerian Opposition to meet under the auspices of the Joint Assembly to pursue discussions on the basis of Article 5 of the Lomé Convention;
15. Instructs the Bureau of the Joint Assembly to immediately send a mission to Nigeria to meet political prisoners and to report back on their condition and the reasons for their detention, so that this information can be transmitted to the 53rd UN Session of Human Rights which is due to discuss the situation in Nigeria;
16. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the United Nations Security Council, the United Nations in Geneva, the OAU, the Nigerian Government and the presidents of oil companies operating in Nigeria.

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

##### on the situation in Angola

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - having regard to its previous resolutions on the situation in Angola,
  - having regard to the declaration by the Presidency on behalf of the European Union of 3 February 1997,
  - having regard the resolutions adopted by the UN Security Council on the situation in Angola, in particular resolutions 1093 of 27 February 1997, 1087 of 11 December 1996 and 1098 of 27 February 1997,
- A. welcoming recent progress towards the implementation of the Lusaka Protocol, in particular the incorporation of officers and soldiers of Unita into the Angolan armed forces and the decision of Unita to take their seats at the Angolan National Parliament,
  - B. but noting with deep concern certain irregularities and delays, partly attributable to Unita, in the implementation of the peace process,
  - C. noting however with satisfaction that an agreement was reached on 19 February 1997 between Unita and the Angolan Government, which will enable government administration to be reinstated in the regions previously administered by Unita and thus from March 1997 the authority of the State to be restored throughout Angolan territory,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- D. recognizing the strenuous efforts of the United Nations Secretary General's Special Representative in Angola, Mr Alioune Blondin Beye, and of the Troika to maintain both Unita and the Government in a consultation spirit on the peace process that should lead to a government of national unity and reconciliation,
- E. whereas the quartering process is making good progress since 70 000 Unita soldiers have to date been stationed in some fifteen sites, although there are reports of 25 000 desertions and absences,
- F. deploring in particular the fact that the government of unity and national reconciliation was not formed by the date originally agreed,
- G. whereas a new time frame has been defined by the Joint Commission, which has set 18 March 1997 for the Unita MPs to take the oath and 20 March for the government of national unity to be formed,
- H. deploring the extreme gravity of the social situation facing the Angolan people in the aftermath of the civil war and the threat posed by the large number of anti-personnel mines in the country,
- I. approving the United Nations Security Council resolution of 27 February extending the mandate of Unavem III to 31 March and calling on the parties, in particular Unita, to take decisive measures, as a matter of urgency and under threat of reprisals, to honour the commitments made at Lusaka in 1994 and hence to form a government of national union and reconciliation, as stipulated in those agreements, as soon as possible,
1. Reaffirms its support for full integration of the Lusaka peace agreements and protocol, in a spirit of reconciliation, and calls on all the parties to comply with the commitments entered into in these agreements, with the necessary determination and good faith;
  2. Takes note of the new time frame adopted by the Joint Commission for the formation of the government of national unity and the integration of Unita MPs in the new National Assembly, and urges the parties, particularly the leaders of Unita, to comply scrupulously with it;
  3. Pays tribute to the mediation effort carried out on the spot by the UN Secretary General's special representative, Mr Blondin Beye, and by the countries acting as observers in the peace process;
  4. Calls on the international community and the United Nations Security Council in particular to continue the Unavem III support until a final settlement of the Angolan conflict is reached;
  5. Appeals to the international community and the EU in particular to continue its contribution to the peace process in Angola and to help create better conditions for the reintegration and rehabilitation of former soldiers into civilian life;
  6. Calls, therefore, on the international community as a whole to provide the necessary financial and technical assistance to measures to restore infrastructure, mine clearance campaigns and, more generally, economic regeneration; recalls in this connection Angola's enormous and urgent needs in schools, hospitals, road infrastructure and basic necessities;
  7. Calls on the Commission and the United Nations to provide financial encouragement to the work of NGOs involved in mine clearance operations in Angola and proposes that public information programmes and programmes to train national specialists be set up;
  8. Calls on the Commission to pursue its efforts to implement the Community Rehabilitation Programme discussed in Brussels in September 1995 and to increase the EU delegation to Luanda with the appropriate staff;

9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the signatory states of the Lomé Convention, the leaders of Unita, the UN Secretary-General, the OAU and the Troika countries — the United States, Russia and Portugal.

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

### on the ongoing crisis in Bougainville

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. referring to the nine-year-old violent conflict in Bougainville which has resulted in an untenable situation from a humanitarian point of view,
- B. bearing in mind its resolution on the ongoing crisis in Bougainville adopted on 1 October 1992,
- C. referring to Article 5 of the revised Lomé IV Convention in which contracting parties, inter alia, reiterate their deep attachment to human dignity and human rights,
- D. referring to the resolutions on the Bougainville conflict of the United Nations Commission on Human Rights (1993/76, 1994/81, 1995/65) and the Sub-Commission on Prevention of Discrimination and Protection of Minorities (1992/19, 1994/21),
- E. noting that its 1992 resolution was not implemented, despite an official invitation from the Government of Papua New Guinea of 4 October 1993 for a fact-finding mission,
  1. Expresses its deep concern at the recent worsening of the situation in Bougainville and its continuing spill-over effects on neighbouring Solomon Islands, after hopeful developments in 1994;
  2. Calls on all parties to give priority to the alleviation of the humanitarian situation and to facilitate humanitarian aid;
  3. Calls on all parties concerned to facilitate human rights monitoring by giving access to independent observers throughout Bougainville;
  4. Proposes sending a Joint Assembly fact-finding mission to Papua New Guinea and Bougainville for closer deliberations with the task of producing a report for the Assembly;
  5. Urges therefore the ACP-EU Bureau and the concerned European institutions to give priority to organizing such an international mission which should also visit Solomon Islands, particularly Choiseul and the Shortlands Islands, which have and are still bearing the brunt of the spill-over effects of the conflict;
  6. Calls on the conflicting parties to seize the mission as a catalyst for renewed dialogue, and therefore to facilitate the work of the mission so that the participants will be able to get a complete picture of the humanitarian situation and the conflicting interests;
  7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission, to the Governments of Papua New Guinea and the Solomon Islands, the Commonwealth Secretariat and the South Pacific Forum Secretariat.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

RESOLUTION<sup>(1)</sup>

## on South Africa

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - recalling its previous resolutions on the state of bilateral negotiations on future relations between South Africa and the European Union,
- A. recognizing the continuing levels of poverty and underdevelopment which remain in South Africa as legacies of the apartheid era,
  - B. welcoming the commencement of formal negotiations between the EU and South Africa to conclude a series of agreements relating to trade, fisheries, wine and spirits and qualified Lomé accession at the beginning of this year, and considering that the content of these agreements should reflect the strong political statements of support both for South Africa and for Southern Africa made by the EU on the 19th April 1994 and in the Berlin Declaration of September 1994,
  - C. welcoming the statement made by the EU, further to those negotiations, supporting the concept of a phased Trade and Development Agreement with South Africa, and convinced that any EU-South Africa trade agreement should be based on a recognition of the different sizes and levels of development of the EU and the South African economies and on the relative importance of each partner in the others trade,
  - D. noting that substantial progress has been made in the negotiations on the accession of South Africa to the Lomé Convention since the South African government presented its negotiating mandate that envisages a trade and development agreement,
  - E. recognizing that while the EU list of product exclusions constitutes only 4 % of total imports from South Africa, it constitutes around 40 % of the products through which South Africa could benefit from a FTA agreement,
  - F. concerned by the introduction of a 'conditional linkage' between the approval of the Lomé Protocol for South Africa by the EU and progress in negotiations to conclude an EU/South Africa fisheries agreement,
  - G. fully supporting efforts to ensure that any agreements reached should take into account their impact on the Southern African region, and in particular on the other members of the Southern African Customs Union and the Southern African Development Community,
  - H. concerned at the delay in releasing the results of the study financed by the Commission on the regional implications of the EU-South Africa trade negotiations,
  - I. deeply concerned by the income losses being generated throughout the Southern African beef industry by subsidised exports of EU beef to South Africa, and noting that, as a result of those subsidies, the customs cleared price for EU beef is approximately half the South African wholesale price,
1. Calls on the EU Council to support the approval of the protocol of accession agreed by South Africa and the Commission's negotiating team;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

2. Asks the European Commission negotiating team to take all the necessary steps to have the negotiations on the accession of South Africa to the Lomé Convention concluded by the ACP-EU Council of Ministers meeting of 24-25 April 1997 in Luxembourg;
  3. Calls for greater asymmetry of content to be built into any EU-South Africa reciprocal trade agreement;
  4. Calls upon the General Affairs Council of the EU to reject all forms of linkage and to approve the long overdue Lomé Protocol for South Africa's accession to the Lomé Convention so as to make accession possible at the forthcoming April ACP/EU Joint Council Meeting in order to take advantage of Article 364 of the Lomé Convention;
  5. Calls upon the EU to grant South Africa the right to bid for contracts from both the 7th and the 8th EDF funds;
  6. Calls upon the ACP-EU Customs Cooperation Committee, in the context of the rules on cumulation, to clearly and rapidly define the phrase 'ad hoc' in a manner which promotes increased regional investment flows from South into Southern Africa;
  7. Calls upon the Commission to make available to all Joint Assembly members copies of the study on the regional implications of the EU-South Africa trade negotiations;
  8. Calls upon the Commission to make concrete proposals so that adjustment costs borne by the BLNS countries as a result of a reciprocal EU-South Africa trade agreement can be fully addressed;
  9. Believes that, in the interests of balanced regional development in Southern Africa, tariff elimination should only be introduced after tariffs have been eliminated on imports from neighbouring SADC countries, in order to ensure neighbouring countries gain the full benefits of duty free access to the South African market;
  10. Calls upon the Commission to pay close attention to the question of the sequencing of tariff elimination in its approach to the current trade negotiations with South Africa;
  11. Calls upon EU Agricultural Ministers to cease providing export subsidies on EU beef exports to South Africa in line with the South African Government's request of August 1996;
  12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission and the Government of South Africa.
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RESOLUTION<sup>(1)</sup>

## on Southern Africa

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. aware of the existing evidence that there is a strong dependence on wild resources by rural poor and that these resources have a potential to serve as an engine for sustainable rural development,
- B. considering that Africa's greatest environmental threat is the loss of soils and woodlands productivity caused by the increasingly frequent cultivation and grazing of wild lands which are marginal to agriculture,
- C. aware that the conservation of wild species and habitat will succeed in the long run only if it can generate revenue as an economically competitive form of land use and that the value of wild species must be enhanced if it is to become an economically competitive land use,
- D. aware of the success that integrated conservation and development programmes based on the management of wild species by rural communities are having in the Southern African region,
- E. acknowledging the ability of such community conservation processes to provide real and tangible benefits to communities through the sustainable use of the wild resources,
- F. considering that Zimbabwe will host the Global Biodiversity Forum and the CITES COP 10 in June 1997,
  - 1. Requests the European Union to explicitly support African community-based natural resource management programmes aiming at conserving natural resources through rural communities empowerment and sustainable use of wild species;
  - 2. Requests the European Union to implement a biodiversity conservation policy consistent with the principles of sustainable use and equitable sharing of benefits of world's biological diversity and the biodiversity conservation strategies of Southern African nations which aim at reconciling the conservation of biological diversity with the improvement of the quality of life of their rural poor;
  - 3. Requests the Member States of the European Union to support at the CITES COP 10 proposals submitted by Southern African nations seeking the conservation of wild species of fauna and flora through the realisation of its full economic value for conservation and development purposes;
  - 4. Urges the Parties to CITES attending next COP 10 to base their decisions on the best scientific information available so that Southern African conservation and rural development programmes based on the sustainable management of wild species are not jeopardised by the imposition of Western values which often ignore human needs;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission, the CITES Secretariat and the Biodiversity Convention Secretariat.

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RESOLUTION<sup>(1)</sup>

on the situation in Southern Africa

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

— having regard to its previous resolutions on the developments in the Southern African region,

A. concerned by the recent severe floods that occurred in Mozambique and Malawi which left over 400 000 people homeless,

B. noting the continuing efforts of the Government of Mozambique to rehabilitate the country's economy and consolidate democratic institutions,

C. noting that the mandate of UNAVEM III in the Angolan peace process expires on 31 March 1997,

D. deeply concerned at the second delay in the formation of the Government of Unity and National Reconciliation, as a result of the failure of UNITA to meet the timetable established by the joint Commission in the context of the Lusaka Protocol,

E. aware of the importance for the parties, in particular UNITA, to take urgent and decisive steps to fulfil their commitments in order to ensure the continued involvement of the International Community in the peace process in Angola,

F. noting the region's efforts at conflict prevention and resolution through the creation of the SADC organ on politics, defence and security, in Southern Africa as well as in other parts of Africa,

G. encouraged by the progress in the initiative by Swaziland to engage in a consultative process with a view to revising the constitution of the country,

H. welcoming the holding of peaceful presidential and parliamentary elections in Zambia in November 1996,

I. noting the ongoing negotiations between the Government of South Africa and the European Union for a comprehensive Trade and Development Agreement, as well as South African qualified membership of the Lomé Convention,

J. welcoming the positive outcome of the 2nd SADC/EU Ministerial Conference held in Windhoek, Namibia on 14-15 October 1996,

K. noting the positive outcome of the 1997 SADC Annual Consultative Conference held in Windhoek from 9 to 10 February 1997,

L. welcoming the Commonwealth Heads of Government Round Table on democracy and good governance in Africa which was held in Kasane, Botswana, on 26-27 February 1997,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).



- M. encouraged by the commitment of the countries of the Southern African Development Community (SADC) to build, consolidate and strengthen democratic institutions through accountability, transparency, good governance and the rule of law; and to the maintenance of political stability and the realisation of integrated sustainable economic development in the region,
- N. further encouraged by the strong commitment of the SADC countries to respect human rights, fundamental freedoms and the principles of democracy,
- O. aware of the commitment of the countries of the southern African region to the promotion of regional cooperation and integration through duly mandated regional bodies such as SADC and the Common Market for Eastern and Southern Africa (COMESA),
- P. noting that Sub-Saharan Africa is extremely rich in biological diversity,
- Q. accepting that there is a strong dependence on wild animal resources by rural people and that these resources have a potential to serve as an engine for sustainable rural development,
- R. observing that the challenge of biodiversity conservation efforts lies in ensuring the survival of biodiversity while meeting the needs of rural people,
- S. aware of the success that community-based natural resource management programmes are having in the region,
- T. acknowledging the ability of such community conservation processes to provide real and tangible benefits to communities through the sustainable use of wild species,
- U. considering that Zimbabwe will host the Global Biodiversity Forum and the CITES COP 10 in June 1997 and that several African nations are concerned with the listing of valuable wild species of flora and fauna,
- V. welcoming the forth-coming EU-SADC Conference on the Management of Shared River Basins to be held in Lesotho on the 20-21 May 1997,
- W. noting that Cape Town is the only city in Africa on the shortlist to host the 2004 Olympic Games,
- X. concerned by the current classification of subsidised EU beef exports to South Africa,
- Y. noting with appreciation the decision by the governments of South Africa, Swaziland and Mozambique to prohibit the production, use and export of anti-personnel mines, and the recommendation to the same effect by a regional conference held in Maputo in March,
1. Calls on the EU to provide emergency assistance for victims of the recent floods in Mozambique and Malawi;
  2. Reiterates its call to the European Union to continue its assistance for the reconstruction efforts and for the consolidation of democratic institutions in Mozambique and to increase its financial and technical assistance for the removal of land mines to enable demobilized soldiers and others to engage in expanded farming activities;
  3. Urges the Government of Angola and in particular UNITA to solve the remaining military and other issues and to establish the Government of Unity and National Reconciliation;

4. Appreciates the assistance rendered by the EU and the international community in the implementation of the peace process in Angola and appeals to the EU to continue assistance for reconstruction and rehabilitation of the Angolan economy, demining and humanitarian assistance to refugees and displaced persons after the withdrawal of UNAVEM III;
5. Appeals to the European Union and the international community to provide support for the process of democratization in Swaziland;
6. Congratulates the people of Zambia on the holding of peaceful presidential and parliamentary elections and urges the international community, the European Union Member States, the European Commission and the European Parliament to assist the people of Zambia in their efforts to promote further the democratic process;
7. Re-emphasizes the need for the greatest possible compatibility between an EU-South Africa trade regime and the Lomé trade regime applied to other SADC countries, in order to promote greater intra-regional trade and cooperation in Southern Africa;
8. Continues to support South Africa's application for qualified membership of the Lomé Convention, bearing in mind the direct and indirect effects on other countries in the region and South Africa's regional Foreign Policy and urges the EU to complete the process of accession timeously in order to make use of Article 364 of the Lomé IV Convention;
9. Calls on the European Union to effectively address the question of regional cumulation under the Lomé rules of origin, by clarifying the ad hoc provision that could militate against the most effective utilization of this facility to promote regional cooperation and development;
10. Calls on the European Union to ensure that a proposed Trade and Development Agreement acknowledges the need to prioritize the processes underway to establish a Free Trade Area in SADC as envisaged in the SADC Trade Protocol signed in Maseru in August 1996;
11. Appreciates the European Union's acknowledgement that a trade agreement with South Africa should be asymmetrical in both timing and content, and calls on the European Union to produce concrete proposals to assist SACU and SADC neighbours to cope with any adjustment costs arising from a trade agreement with South Africa;
12. Requests the EU and the International Community to support the region's efforts to encourage mutually-supportive sustainable use of natural resources by rural communities;
13. Appeals to the European Union to assist SADC to strengthen the region's institutional structures at the national and regional levels to achieve the level of productivity necessary for sustainable development;
14. Urges the European Union and the international community, to increase its assistance to the Southern African region to deal with the emergency disaster situations such as the recent floods and also to strengthen effective long-term disaster preparedness and prevention mechanism in the region;
15. Appeals to the international community, and in particular the European Union, to make an additional allocation of resources to regional cooperation and integration activities in Southern Africa, especially through the duly mandated regional bodies of SADC and COMESA, with a view to combating poverty and fostering functional cooperation programmes;
16. Calls upon the international community, in particular the European Union, to continue supporting the democratic process in Southern Africa in the region's efforts to establish democratic institutions necessary for protecting and consolidating infant democracies in the region;

17. Requests the European Union to support financially and encourage at institutional level African community-based natural resource management programmes;
  18. Requests the European Union to support in international fora all initiatives undertaken by African nations aiming at the effective and consistent implementation of the principles of the Rio Declaration and the Agenda 21;
  19. Requests the international community to show solidarity and accountability when undertaking any international initiative which might affect the ability of African nations to derive benefits from the sustainable use of biodiversity resources;
  20. Requests the Member States of the African, Caribbean, Pacific and the European Union to favourably consider proposals from African nations aimed at conserving wild species through sustainable use and responsible trade as an effective way of conserving wild ecosystems while contributing to the economic development of their poorest rural areas;
  21. Commends the European Union for its assistance in the organization of the EU-SADC Conference on the Management of Shared River Basins aimed at the proper utilisation of scarce water resources in the region;
  22. Requests Member States of the African, Caribbean, Pacific and the European Union to support Cape Town in her bid to become the first city in Africa to host the Olympic Games;
  23. Calls upon the EU to address the distortions created on the South African market by securing a reclassification of South Africa for export refund purposes, and hence, a reduction in the levels of export subsidies being paid;
  24. Calls on the governments of countries that continue to manufacture, use and export antipersonnel mines, particularly EU Member States, to match the initiatives of Southern Africa and work with the ACP countries towards making a comprehensive international ban a reality;
  25. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission, the Southern Africa Development Community and the South African Government.
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RESOLUTION<sup>(1)</sup>

## on beef exports to South Africa

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. having regard to the importance of rural development and the campaign against poverty to European development policy in southern Africa,
  - B. having regard to the prominent place of cattle breeding in the rural economy of southern Africa,
  - C. deeply concerned at the drastic fall in the earnings of cattle breeders in South Africa, which should be attributed to the sharp rise in subsidized beef exports from the EU to South Africa,
  - D. disturbed at the sudden decline in the marketing, promoted by EU development policy, of beef in northern Namibia,
  - E. whereas South Africa and Lesotho have been classified as part of the area for the highest export refunds<sup>(2)</sup>,
  - F. having regard to the existing customs union and the associated free movement of goods between South Africa, Namibia, Botswana, Lesotho and Swaziland (SACU), and to EU beef imports from Namibia and Botswana,
  - G. having regard to requests from South Africa and Namibia to scrap EU export refunds for beef exports to South Africa,
  - H. convinced that in the interests of stabilizing self-sufficiency in food and security of food supply throughout the world it must be permissible to construct effective external protection in the case of food imports,
1. Calls on the Commission and Council to scrap export refunds for beef exports to South Africa and Lesotho, since the target zone of such exports is in fact the SACU and not individual Member States of the SACU;
  2. Calls on the Commission and Council to set up forthwith a common permanent forum for all those concerned, with the participation of the European Parliament, to guarantee close coordination between the institutions and prevent a lack of cohesion between EU development policy and the common agricultural policy;
  3. Calls on the Commission and Council not to devolve the costs and risks that have arisen in the present crisis in the EU beef market to third countries and accordingly to exercise the utmost care when monitoring the origin of beef exported to third countries, in order to preclude any further spreading of BSE in third countries and imperilling those countries' consumers;
  4. Calls on the Commission and Council totally to abolish export refunds at the next WTO negotiations and in the forthcoming review of the CAP, and to use the negotiating margin thus obtained to establish minimum cost prices and social/ecological criteria for the trade in foodstuffs;
  5. Instructs its Co-Presidents to forward this resolution to the Commission, the ACP-EU Council and the parliaments and governments of the SACU States.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

<sup>(2)</sup> OJ L 282, 1. 11. 1996, p. 4.

RESOLUTION <sup>(1)</sup>

## on the impact of subsidized EU beef exports

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. recognising that the promotion of rural development and poverty alleviation has been a central objective of EU development policy in Southern Africa under successive Lomé Conventions,
- B. recognising the importance of the livestock sector to the rural economies of Namibia, Botswana and Swaziland, and the central importance of the South African market for all sub-sectors of the cattle industry, particularly in Namibia,
- C. commending the EU for the extensive development assistance which it has extended to the development of production and marketing of cattle and cattle products in Namibia, Botswana and Swaziland, which has contributed to improving rural incomes,
- D. in the light of
  - the tenfold increase in EU beef exports to South Africa since 1991,
  - average landed prices for EU frozen boneless beef of Rand 2,66 per kg (which in 1996 was 51 % below the domestic South African wholesale price),
  - the provision of export restitution payments of Rand 6,18 per kg on exports of EU frozen boneless beef to South Africa,
- E. viewing with extreme concern the rapid expansion of EU beef exports to South Africa which benefit from extensive export refunds,
- F. believing that this massive expansion of subsidised EU beef exports to South Africa has resulted in income losses to South African, Botswanan, Swaziland and Namibian cattle farmers totalling hundreds of millions of Rand,
- G. believing that the application of the EU export restitution scheme for beef exports to South Africa constitutes a fundamental incoherence between EU development cooperation policy objectives in favour of rural development in livestock dependent economies and the current application of this particular instrument of the Common Agricultural Policy,
- H. in the light of:
  - the request of the South African government of 29 August 1996, for immediate reclassification out of eligibility for export restitution payments,
  - the October 1996 appeal by the Meat Producers Association of Namibia to EU Foreign Ministers to end export subsidies on beef exports to South Africa,
  - the recent appeal of the South African Minister of Agriculture to the EU President-in-Office for assistance in halting subsidised EU beef exports to South Africa,
- 1. Calls on the EU Council of Agricultural Ministers to instruct the appropriate departments of DG VI to take immediate steps to reclassify South Africa such that export restitution payments on EU beef exports to South Africa are ended;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

2. Calls on the EU Development Council to take an immediate initiative to establish an ongoing dialogue with the EU Agricultural Council and appropriate departments of DG VI, to ensure that the application of the various instruments and mechanisms of the CAP do not undermine the promotion of the objectives of EU development cooperation policy in various regions of the developing world;
3. Calls for the Commission to draw up an annual report on the achievement of coherence between EU development policy objectives and the application of the various policy instruments of the CAP, with particular reference to cases involving appeals from developing countries;
4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission and the EU Agricultural Council.

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

#### on the social situation in Niger

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. whereas the peace process which has been initiated in Niger and which resulted in the Peace Agreement of 24 April 1995 will remain fragile unless it is accompanied by appropriate aid for the reintegration of displaced populations,
  - B. commending Niger for the efforts it has made to restore peace and calling on the Government of Niger to persevere in this direction,
  - C. whereas, at the end of the national conference held in 1991, political pluralism was recognized as a fundamental democratic right,
  - D. whereas the last farming year in Niger has been marked by a substantial food deficit,
  - E. whereas Niger has for many years been experiencing a serious economic crisis, which is preventing it from tackling the disastrous social consequences generated by this situation,
1. Calls on the Commission, the Council, the Member States of the European Union and of the ACP Group to step up their aid and support for Niger in the context of the consolidation of peace;
  2. Calls on the Commission, the Council and the Member States of the European Union and of the ACP Group to provide emergency food aid and to list the appropriate ways of achieving a lasting solution to this food crisis, in particular through the implementation of a medium- and long-term food security mechanism;
  3. Calls on the Government of Niger to respect human rights and political pluralism, which form part of the 'essential element' of development cooperation in the context of the revised Lomé Convention;
  4. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, and the government and parliament of Niger.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

RESOLUTION<sup>(1)</sup>

## on Western Sahara

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

— having regard to its previous resolutions on the subject,

- A. having regard to the Madrid Tripartite Agreements by which the Spanish, Moroccan and Mauritanian governments established the partition of Western Sahara, in blatant violation of the legitimate rights of the Sahrawi people to self-determination, and in contravention of international law,
- B. whereas the Kingdom of Morocco has been obstructing the preparation and organization of the referendum on self-determination planned by the United Nations,
- C. drawing attention to the resolutions by the United Nations and the Organization of African Unity,
- D. whereas James Baker has been proposed to act as mediator in the present conflict between the Kingdom of Morocco and the Polisario Front,
- E. whereas the UN Secretary General has put forward a proposal to revive the peace process,
  1. Demands that the Kingdom of Morocco comply with international resolutions and cease to impede the preparation and organization of the referendum;
  2. Requests the Kingdom of Morocco to resume direct talks with the Polisario Front;
  3. Requests the United Nations and its Secretary General to take the necessary steps to ensure compliance with its resolutions, restart the identification process and create the necessary conditions for holding the referendum on self-determination to which the Sahrawi people has a legitimate right;
  4. Calls on the EU to take account of the interests of the Sahrawi people in the agreements it reaches with the Kingdom of Morocco;
  5. Calls on the EU to ensure that the Sahrawi people receives cooperation and humanitarian aid on a sufficient and urgent basis;
  6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the government of the Kingdom of Morocco and the Polisario Front.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

RESOLUTION<sup>(1)</sup>

## on bananas

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- reaffirming the resolutions adopted by this Assembly on 6 October 1994 in Libreville, on 3 February 1995 in Dakar, on 29 February 1996 in Windhoek and on 25 September 1996 in Luxembourg,
- recalling the resolutions adopted in this regard by the 64th session of the ACP Council held in Brussels from 13 to 15 November 1996,
- A. re-emphasizing the importance of ACP and European banana industries to foreign exchange earnings, employment infrastructural development, environmental protection and the general socio-economic development of the States concerned,
- B. considering that a disruption in the banana trade would result in severe unemployment, loss of export earnings and a collapse in some economies with devastating consequences for social and political stability,
- C. noting with concern that excessive supplies in the market as a result of the increase in the tariff quota for dollar zone countries above the level of demand has led to the collapse of prices in the European Union market,
- D. whereas the fall in prices is causing extreme penury for ACP and Community producers,
- E. recalling the objectives of the ACP-EC Convention for improving ACP trade with the EU, and in particular the commitment in Protocol 5 on Bananas, including Annex LXXIV in the Lomé IV Convention, to safeguard access for the ACP producers on their traditional markets and to improve the conditions under which ACP bananas are produced and marketed,
- F. noting that the EU banana regime established by Regulation (EC) No 404/93 makes provision for ensuring that the EU's commitment to the ACP banana-producing States is honoured under the common organization of the market (COM) for bananas,
- G. whereas the COM is designed to ensure that ACP suppliers and Union producers will continue to obtain an economic return in the Community market, and whereas the absence of income support for ACP producers makes the need to obtain a proper return in the market place still more important for all concerned,
- H. whereas the Court of Justice of the European Communities has accepted the legal validity of the common organization of the market in bananas, and whereas the COM is included in the Marrakesh Agreements signed by all the GATT contracting parties,
- I. considering that the ACP Group has submitted its position for consideration in the current Commission proposal to Council for amending the regulation,
- J. having regard to the opinion of the European Parliament of February 1997 on the Commission proposals for reform of the COM in bananas,
- K. noting with concern that the ACP banana exports to the Union have been capped at a maximum quantity, whereas the Latin American exports of 'dollar' bananas have been allowed to expand through increases in the tariff quota, even to the detriment of market prices,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).



- L. concerned that the ACP's request for the case of Somalia to be treated as one of force majeure has not been favourably considered, despite the severe hardship arising from the adverse effect of the civil unrest on that country's industry,
- M. extremely concerned about the challenges to the regime, in particular the current WTO Dispute Settlement Panel, established at the request of the USA and four Latin American countries to determine the compatibility of the Regime with international trade rules,
- N. gravely concerned by the interim report of the WTO Panel, which casts doubt on the Community banana regime,
1. Urges the Council of the European Union immediately to set up an adequate response based on a political determination to preserve the interests of ACP and European banana producers;
  2. Strongly supports the position adopted by the European Parliament, which was consulted on the proposals for reform of the COM in bananas and rejected any increase in the tariff quota beyond 2,3 million tonnes and restored 30 % of the import licences reserved for Union producers and traditional ACP suppliers and urges the Commission and Council to follow the opinion expressed by Parliament;
  3. Calls on the Council of the European Union to:
    - i) ensure that the commitment to the ACP and European producers is maintained by guaranteeing that the advantages in and access to the EU market for ACP and European bananas are not eroded;
    - ii) give urgent favourable consideration to the ACP's position submitted with regard to the proposed amendments to Regulation (EC) 404/93, particularly:
      - arrangements for transferability similar to those in the GATT Framework Agreement permitting Latin American banana-supplying States to reallocate, on a temporary basis, quantities delivered short in any one year by one or more supplying states, to be extended to ACP suppliers within a global arrangement without geographical limitations and to include non-traditional suppliers;
      - *force majeure* provision;
      - exemption from 'dollar' licence requirements for the 90 000 tonnes non-traditional quantities allocated in the Framework Agreement;
      - the special situation of the Windward Islands;
      - allocation of a specific quota to Ghana;
    - iii) permit ACP countries and European producing regions to participate in any growth or expansion of the EU banana market;
  4. Urges the Commission to:
    - i) show the utmost firmness in the defence of the banana regime against the USA and the Latin Americans in the WTO and take full advantage of the appeal process under the dispute settlement mechanism;
    - ii) take appropriate measures to ensure that there is no collapse in market prices which would significantly reduce the earnings of ACP producers;
    - iii) favourably consider the ACP's request for the special case of Somalia to be treated as one of force majeure;
  5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.
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RESOLUTION<sup>(1)</sup>

## on rum

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - reaffirming its resolution on rum adopted by the ACP-EU Joint Assembly at its 20th session in Dakar (Senegal) from 26 January to 3 February 1995,
  - recalling the resolutions on this subject adopted by the ACP-EU Joint Assembly on 6 October 1994 during its 19th session in Libreville (Gabon),
  - A. having regard to the importance of trade as an instrument of development for the ACP States and of rum exports to the EU on the economies of the ACP rum producing states,
  - B. considering that the rum industry is a major exchange earner and employer of labour and hence contributes to the socio-economic development and political stability in ACP States,
  - C. noting that Protocol 6 on rum of the Fourth Lomé Convention provides for duty-free entry of ACP rums into the EU under conditions which allow for the development of traditional trade flows between the ACP States and the EU,
  - D. recalling that the Protocol imposed quantitative restrictions on the imports, but made allowance for annual increases in the quota, in response to market demand and the eventual abolition of the quota system,
  - E. considering that the quota system was only partially abolished in January 1996 despite repeated requests from the ACP for its total abolition to facilitate the development of their industries,
  - F. considering also that ACP rum producers made substantial investments in the development and marketing of their product within the constraints of the quota system, which to a large extent restricted their trade to low margin bulk rum,
  - G. noting that the ACP are intensifying their promotion campaign to develop a market for the higher quality branded rums and estimate that they would require at least ten years before they would be able to compete in a tariff free market with rums from other regions, most of which are subsidised,
  - H. noting with concern that the EU and the USA intended to enter into a zero for zero agreement on white spirits, including rum, which will adversely affect the ACP trade with the EU,
  - I. concerned that contrary to the provisions of Article 12 of the Lomé IV Convention, the ACP Group was neither informed nor consulted prior to the agreement with the USA despite the implication of the agreement for the ACP trade with the EU,
1. Calls on the Community and its Member States to:
    - i) honour the commitments entered into under Protocol 6 on rum in the Fourth Lomé Convention and allow a grace period of at least ten years to enable the ACP to fully develop their traditional trade flows with the EU;
    - ii) ensure that the interests of the ACP rum producing states are not adversely affected by any agreement with third countries and their competitive position is maintained in the market as per annexes XXIX and XXX of the Convention;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- iii) provide adequate resources to assist the ACP in the promotion and expansion of sales on the Community market in accordance with the provisions of Article 4 of Protocol 6 on rum;
2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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

### on sugar

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - reaffirming its resolution on sugar adopted during the 23rd Session held in Luxembourg from 23 to 27 September 1996,
  - recalling the resolution adopted in this regard by the 64th Session of the ACP Council held in Brussels from 13 to 15 November 1996,
- A. stressing the importance to ACP signatory States of sugar exported to the EU under the Sugar Protocol and the Special Preferential Sugar (SPS) agreement and the contribution of their sugar industries to socio-economic development, the furtherance of democracy, good governance and political stability,
  - B. reiterating the ACP's commitment and ability to supply the EU raw cane sugar requirements under the terms and conditions of those agreements,
  - C. recalling the mutual benefit accruing to the contracting parties from these preferential trading agreements,
  - D. considering that the signatory States are rationalizing operations and have undertaken investment programmes to increase efficiency and competitiveness, optimise the use of by-products while ensuring compliance with environmental standards,
  - E. concerned that the EU's restrictive pricing policy has continued to adversely affect socio-economic development in the ACP sugar supplying States,
  - F. concerned also that there is still no commitment from the EU regarding assistance in alleviating the burden of the high cost of inland transport and ocean freight as well as the problems associated with inadequate off loading facilities at European ports of discharge,
  - G. noting with concern that sugar imported through the OCT has the potential of disrupting the delicate balance of the sugar regime and EU commitment in the WTO,
  - H. acknowledging that this matter should be treated separately from other ACP products imported through that channel,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

1. Calls on the European Union to:
  - i) acknowledge the importance of the sugar industries to the economies of the ACP States concerned and the contribution made to their socio-economic development;
  - ii) ensure that the price offered for ACP sugar takes fully into account the socio-economic factors including the efforts at rationalization as highlighted in the annual memorandum on economic factors;
  - iii) acknowledge that the ACP has demonstrated its ability to supply the EU's raw cane sugar requirements through the Protocol and Special Preferential Sugar Agreement and the mutual benefit derived therefrom by all the parties concerned;
  - iv) take appropriate action to assist the ACP in alleviating the burden of high transport costs and the inadequate off loading facilities at European ports of discharge as highlighted in the findings of the 1992 sugar transport cost study;
  - v) ensure that appropriate corrective measures are taken to prevent the importation of OCT sugar into the EU, while not affecting the ACP/OCT trade in other commodities;
2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the signatory states of the Lomé Convention.

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

on the action to be taken on the Third Conference of Parties to the Framework Convention on Climate Change (Kyoto, 1997)

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. recalling the first Conference of Parties to the Framework Convention on Climate Change, held in Berlin from 28 March to 7 April 1995, at which the parties agreed to negotiate a protocol or other legal instrument for reduction objectives within specified time frames, such as 2005, 2010 and 2020, concerning emissions of greenhouse gases from Annex 1 countries to be ready for agreement by the Third Conference of Parties in December 1997 (Kyoto),
- B. in view of the Special Session of the UN General Assembly (June 1997) on Agenda 21,
- C. also recalling the proposals for a Protocol made by the Alliance of Small Island States (AOSIS) to have 1990 level CO<sub>2</sub> emissions reduced by 20 % in the year 2005, which the ACP-EU Joint Assembly supported in a resolution at its meeting in Dakar (January/February 1995),
- D. welcoming the efforts of the Dutch Presidency in advancing the climate change debate and considers the outcome of the March 1997 meeting of the Environmental Council of the European Union as a step in the right direction, but stresses that the Council conclusions are still inadequate because:
  - no reduction targets have been established for 2005
  - no specific reduction target has been set for CO<sub>2</sub> (a 'basket' approach was used)
  - HFCs, PFCs and SF<sub>6</sub> have been excluded

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- the reduction targets are conditional on the adoption of legally binding policies and measures at Kyoto,
- E. noting that there is a considerable difference between this target and the AOSIS proposals, and that therefore the March 1997 Environmental Council conclusions must be seen as an absolute minimum,
- F. drawing attention to the special vulnerability to climate change of ACP countries in general and Small Island States in particular,
  1. Calls on the Council and the Commission to take every possible step to get the 15 % reduction of 1990 level greenhouse gas emissions accepted by the signatories to the Framework Convention on Climate Change at the Third Conference of Parties in Kyoto (December 1997);
  2. Urges the Council to acknowledge that this reduction is an absolute minimum and to strive for 20 % reduction of 1990 levels of CO<sub>2</sub> emissions by 2005;
  3. Calls upon the Council to adopt the targets proposed as negotiating positions in the Climate Convention process as firm EU emission reduction commitments;
  4. Urges the Member States of the European Union and the ACP countries to do everything possible at the UN General Assembly Special Session in June 1997 to ensure that the political Declaration resulting from the UNGASS meeting will emphasise the importance of achieving a binding Protocol with high emission reduction targets, clear time limits and measures to achieve these reduction targets at the Third Conference of Parties to the Framework Convention on Climate Change;
  5. Calls on the Council to take concrete measures to achieve greenhouse gas reductions, including a CO<sub>2</sub> energy tax;
  6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and to the Commission.

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

on the integration of sustainable development in EU development cooperation with ACP countries

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. in view of the UN General Assembly Special Session on Agenda 21 (Earth Summit II) in June 1997,
- B. recognizing that the targets set in Agenda 21 in Rio in 1992 have not been satisfactorily achieved and the agreed funds for sustainable development have not been allocated,
- C. recognizing that means for the integration of sustainable development in EU development cooperation are not addressed in the Green Paper on relations between the EU and the ACP countries on the eve of the 21st century,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- D. emphasizing the importance of sustainable development for ACP countries, especially in view of the ongoing depletion of their natural resources, and realizing the potential income for indigenous peoples,
- E. recognizing the relationship between unequal access to natural resources and environmental degradation on the one hand and the outbreak of conflicts on the other,
- F. recognizing that EU policies on the integration of sustainable development in development cooperation with ACP countries have not been implemented mainly due to insufficient capacity and expertise in the Commission and its delegations, as noted by the OECD Development Assistance Committee in its review of EU development cooperation (1995),
1. Calls on the European Commission and the signatories to the Lomé Convention to provide the structure and means for the actual integration of sustainability into EU development cooperation, particularly with ACP countries;
  2. Calls on the European Commission and the signatories to the Lomé Convention to provide specific funding under the EDF for sustainable development projects with partners in ACP countries;
  3. Calls on the Member States of the European Union to provide the means for a considerable increase in capacity and expertise on sustainable development within or in support of DG VIII of the Commission;
  4. Supports the process of developing a European Sustainable Development Initiative for practical measures to integrate sustainable development in development cooperation, with the involvement of all parties concerned;
  5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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

on Protocol 10 on sustainable management of forest resources of the Fourth ACP-EU Convention of Lomé as revised by the agreement signed in Mauritius on 4 November 1995

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - having regard to its previous resolutions on sustainable management of forest resources, in particular the ACP-EU resolution which was adopted in September 1996 (Luxembourg: ACP-EU 1825/96/fin.) and the parliamentary report on operations to promote tropical forests, which was adopted on 15 June 1995 (A4-0137/95),
- A. in view of the Special Session of the UN General Assembly (June 1997) on Agenda 21,
- B. whereas the Protocol on Sustainable Management of Forest Resources of the Lomé Convention states that the European Community and the ACP States will concentrate their efforts on actions promoting sustainable management of forests allotted for the production of timber and that special priority will be given to community based and small scale forest operations,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- C. recognizing that logging activities in West and Central Africa are increasing rapidly and are beyond the monitoring capacity of many ACP country forestry departments,
  - D. recognizing the fact that community based forest projects which are carried by the local communities still hardly exist,
  - E. realizing that Asian and European companies which exploit and purchase timber from a large number of logging companies, are recently expanding into countries in West and Central Africa,
  - F. acknowledging that a number of these new incoming companies have a poor track record in sustainable forest management, especially in respecting local people's rights, both in their countries of origin as well as in other ACP countries,
  - G. realizing that commendable efforts to implement truly sustainable forest management, including the participation of local people, are currently made in the region,
  - H. acknowledging that the Forest Stewardship Council has developed universal criteria for environmentally appropriate, socially beneficial and economically viable management of the world's forests,
1. Calls on the signatories to the Lomé Convention and the European Commission to design definite plans for the implementation of paragraphs 3 and 4 of Protocol 10 of the Lomé Convention;
  2. Calls on the European Commission to thoroughly study again the possibilities of financial instruments in implementing a strong forestry strategy;
  3. Calls on the Member States of the European Union, the European Commission and the signatories to the Lomé Convention to step up their monitoring and control of European and Asian companies;
  4. Calls on the European Commission and the Member States to allocate more resources to community based, small scale forests operations and to sustainable development initiatives of African NGOs in the region;
  5. Calls on the European Commission and the Member States to financially support institution building in the forestry departments in the ACP countries with emphasis on capacity building to enable these departments to monitor the activities of forestry companies;
  6. Calls on the Member States of the European Union, the Commission and the signatories of the Lomé Convention to take measures to stimulate producers, manufacturers and consumers of timber to adhere to the principles developed by the Forest Stewardship Council, thereby creating an incentive for genuine sustainable forest management;
  7. Calls on the ACP states to thoroughly scrutinise logging companies applying for concessions or other forest-related activities in their countries;
  8. Urges the Member States of the European Union and the ACP countries to do everything possible at the UN General Assembly Special Session in June 1997 to ensure that the political Declaration resulting from the UNGASS meeting will demand binding and concrete plans for the implementation of Protocol 10 of the Lomé Convention;
  9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and to the Commission.
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RESOLUTION<sup>(1)</sup>

## on hazardous waste

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. whereas the Basel Convention on the control of transboundary movements of hazardous waste and their disposal was adopted in 1989 as an international instrument to solve the global problem of hazardous waste generation and transboundary movements of such waste,
- B. whereas the Basel Convention entered into force in 1992 and currently has over 100 contracting parties,
- C. whereas, at the urging of the G-77, the EU Commission and other contracting parties of the Basel Convention, an amendment to the Convention prohibiting all exports of hazardous waste from OECD to non-OECD countries from January 1998, was adopted by consensus at the Third Conference of contracting parties in 1995,
- D. whereas many other legal instruments, including the Lomé IV Convention, the Bamako Convention for Africa, the Barcelona Convention, the Central American Agreement, and the Walgani Treaty for the South Pacific region, also prohibit transboundary movements of hazardous waste,
- E. having regard to the desire that all such instruments prohibiting hazardous waste exports from OECD to non-OECD countries be effectively implemented at the earliest opportunity,
- F. whereas the European Union has amended its legislation (EEC/259/93) to incorporate the Basel Convention ban on such hazardous waste trade,
- G. having regard to the fact that the amendment to the Basel Convention will need to be ratified by at least three quarters of the contracting parties which accepted it, in order for it to enter into legal force,
- H. stressing the importance of regional and international co-operation in adequately addressing hazardous waste, through inter alia, the expedient entry into force of the Basel Convention amendment,
  1. Calls on all ACP countries which have not yet done so, to take the necessary measures to accede to the Basel Convention as amended in 1995, as well as relevant regional treaties addressing hazardous waste, e.g., the Bamako Convention in Africa;
  2. Reaffirms the need to prohibit all hazardous waste exports from the OECD to non-OECD countries as an important measure toward solving the hazardous waste crisis;
  3. Applauds the consensus decision (decision III/1), adopted by the Third conference of Parties to the Basel Convention in 1995, to amend the Basel Convention to prohibit all hazardous waste exports from OECD to non-OECD countries as from 1 January 1998;
  4. Stresses that the Basel Convention amendment does not permit bilateral or multilateral agreements as exceptions to the prohibited trade in hazardous wastes;

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(<sup>1</sup>) Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).



5. Opposes any weakening of the Basel amendment (and its rationale) through any other proposed exceptions which would have the effect of the allowing selected non-OECD countries to continue importing hazardous waste from OECD countries beyond the phase out date of 1 January 1998;
6. Calls on all ACP and European Union governments to take the necessary measures to ensure the amendment to the Basel Convention is ratified at the earliest opportunity with the view to its entry into force as soon as possible;
7. Urges all ACP and European Union governments, as well as all Basel Convention contracting parties to respect in good faith the amendment decision adopted by consensus to amend the Convention and to work actively for its effective implementation;
8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission and the Basel Convention Secretariat.

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

on the special session of the United Nations General Assembly in June 1997 to review  
AGENDA 21

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - having regard to the resolutions of the Joint Assembly on the results of the Rio Conference of 1 October 1992 in relation to the environment and development as well as desertification,
  - having regard to its resolution on all small island States of the ACP — climatic change and the environment, adopted in Luxembourg on 26 September 1996,
- A. bearing in mind the Commission Communication on a common platform: guidelines for the European Union's preparation for the special session of the United Nations General Assembly in New York in June 1997 to review the AGENDA 21 and the connected results of the United Nations Conference on the environment and development (Rio 1992),
  - B. whereas AGENDA 21 has been only incompletely implemented even in the EU and ACP States,
  - C. whereas industrialized countries and developing countries have different priorities, which already found expression at the 1992 Rio Conference, i.e. environmental protection on the one hand and economic and social development on the other,
  - D. whereas spending by industrialized countries on financial cooperation with the countries of the South reached an historic low-point in 1995, fell by 14 % in real terms between 1992 and 1995 and still shows no sign of an upturn,
1. Welcomes the holding of the special session of the United Nations General Assembly in New York in June 1997 to review AGENDA 21 (UNGASS);
  2. Calls on the heads of State and government of the EU and ACP States to take part in the UNGASS to ensure the necessary public awareness of the issue of the environment and development;

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(<sup>1</sup>) Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

3. Hopes that the ACP and EU governments cooperate as extensively as possible in the context of the UNGASS, represent common positions and try to ensure that the Rio follow-up process is substantively and organizationally coordinated with other activities in the UN context;
4. Calls on the Commission and the governments of the European Union States and the ACP group to immediately develop and consistently implement programmes to promote sustained development;
5. Notes that the industrialized countries have still not fulfilled the obligations handed down in Rio as to financial support for developing countries and calls on the European Union to meet those obligations and to exert pressure on the other industrialized countries to likewise improve their financial support;
6. Urges the participants in the UNGASS to agree on a further review of the implementation of AGENDA 21 in five years in order to maintain the present dynamism;
7. Stresses the importance of the regional and local levels for the implementation of AGENDA 21 and calls for non-governmental organizations and other groups in civil society to be extensively involved in the Rio follow-up process;
8. Recognizes the greater inclusion in principle of environmental aspects in development cooperation, which also finds expression in Lomé IV, but regrets that it often does not go beyond declarations and lip-service, and calls for enhanced implementation of environmental elements and projects;
9. Instructs its Co-Presidents to forward this resolution to the Commission, the ACP-EU Council, the Secretary-General of the United Nations, the special session of the United Nations in June 1997 in New York to review AGENDA 21, the governments of the signatory States of the Lomé Convention.

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#### RESOLUTION (1)

##### on orphan drugs

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - having regard to the resolution of the Council of Health Ministers of 30 November 1995 on orphan drugs,
  - having regard to the Orphan Drug Act,
- A. whereas transmissible diseases in the inter-tropical zone — parasitical, bacterial, mycotic and viral diseases — of which some 5 000 have been identified (80 % being of genetic origin), apart from HIV, which is directly responsible for 7,5 million deaths a year, affect almost 1,5 billion individuals and represent 71 % of the total death rate of countries in this area,
  - B. whereas the developing countries allocate no more than 4,2 % of their GDP to health, and the health sector accounts for 7 to 8 % of public development aid paid by the OECD countries, funds that are almost exclusively allocated to bridging the many gaps in medical care and organization,

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(1) Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- C. whereas while the countries of the inter-tropical zone are continuing to benefit from the medical advances of the last forty years, the extensive growth of chemical resistance, gaps in the range of drugs available and the deterrent cost of new treatments are diminishing and eroding such advances and beginning adversely to affect the level of health in those countries,
- D. having regard to the growing difficulties and costs of developing new medicines,
- E. whereas 95 % of investment comes from the private sector,
- F. whereas 60 to 90 % of the populations and countries affected by these rare diseases (such as botulism, malaria, bilharzia, filariasis, African trypanosomiasis, Chagas' disease, leishmaniasis and leprosy) are seldom able to pay for treatment,
- G. whereas the treatment of common illnesses prevailing mainly in the inter-tropical zone is generally unavailable to 3 out of 4 sick people because of their lack of purchasing power and the absence of health protection schemes,
- H. whereas priorities in the OECD countries are geared towards controlling health expenditure in the 'profitable diseases' sector, cardiovascular disease, cancer and neuro-degenerative disease, which account for more than 95 % of therapeutic innovation over the last 15 years,
- I. whereas the Orphan Drug Act of 1983, which introduced the concept of orphan drugs, presents a largely positive record in the field of rare diseases, but the overall profile of regulatory provisions deriving from it is marked by the sole development of medicines for rare diseases to suit the social and economic context of the industrialized countries, and whereas a similar instrument should be put in place at European level that does not show the same deficiency,
- J. whereas the draft European Directive on orphan drugs proposed by the Commission does not include transmissible diseases in the inter-tropical zone in the scope of its definition,
- K. whereas the international agencies' (World Bank, WHO and UNDP) TDR programme (Special Programme for Research and Training in Tropical Diseases) has, since 1975, stressed the delays and needs as regards malaria, bilharzia, filariasis, leprosy, trypanosomiasis and leishmaniasis,
- L. whereas the Commission's Science and Technology for Development programme (CEC/STD) includes a component for 'scientific and technological development with the developing countries',
- M. concerned that the pharmaceutical industry is moving towards the industry's long-term disengagement from research into tropical transmissible diseases, although these account for the majority of deaths in the countries of that region,
- N. worried that progress in molecular medicine is taking practical form only on an experimental basis in the field of vaccination (for bilharziasis, leishmaniasis, malaria and trypanosomiasis) and only in a limited way in the field of treatment,
- O. having regard to the difficulties and rising costs of research and development — 1 to 2 billion francs for each new molecule,
- P. conscious of and concerned at the dispersion of scientific research teams and the fragmented nature of resources in the absence of an overall generic policy, in particular for the collection and dissemination of information, in both the research and the epidemiological field,
- Q. whereas the present epidemics — emergent and re-emergent infectious diseases — are an unfortunate sign of the precariousness of our prevention and treatment structures,

- R. whereas between now and the year 2000 not one further molecular innovation will be directly produced by the pharmaceutical industry in the field of tropical medicine, which means depending only on random discoveries, spin-off from veterinary research, the chance analysis of traditional pharmacopoeia or the reassessment of old medicines,
- S. whereas there is a more urgent need for activities to improve the practical circulation of medicines than for those affecting the primary supply,
1. Calls for the creation of a special programme for research and development in the field of tropical health, in the form of a task force;
  2. Suggests that the programme should be jointly administered by the Commission, an international committee of experts and representatives of the WHO, and the pharmaceutical industry;
  3. Wishes this programme to permit the management of a pharmaceutical and clinical database and to be responsible for setting up clinical trials and monitoring them through peripheral establishments, institutes and reference university hospitals in the developing countries;
  4. Calls for the Commission to encourage the creation of joint ventures (between industry, universities and/or scientific academies) with the aim of setting up partnership networks;
  5. Calls for the creation of a special marketing approval certificate for medicines for tropical diseases;
  6. Recommends speeding up the establishment, in collaboration with the WHO and the United States-European Union Task Force, of a monitoring and early warning network for transmissible diseases in the inter-tropical zone and resistance to drugs to combat infections;
  7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the World Health Organization.

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

**on fake medicines**

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. alarmed at the fact that a criminal traffic in counterfeit medicines is thriving with complete impunity, threatening the health and, in some cases, the lives of populations in developing countries,
- B. whereas, according to the World Health Organization, the counterfeiting of pharmaceutical products is a rapidly expanding sector, especially in countries on the African continent,
- C. whereas the African continent is seriously affected by this serious problem, in particular because industrial property is insufficiently protected there,
- D. whereas, as a result of the devaluation of the CFA franc and the structural adjustment programmes to which those African countries are subject, the price of medicines has become prohibitive for the majority of the population, which has, as a result, turned to parallel markets,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

- E. whereas some counterfeit medicines contain toxic products posing a threat to the lives of patients,
- F. whereas in 1990, for instance, more than 100 children died in Nigeria after taking a cough mixture which actually contained an industrial solvent, similar incidents took place shortly afterwards in Bangladesh, India and Haiti and, in 1995, an NGO alleged that it had found stocks of fake vaccines against meningitis in Niger,
- G. whereas certain African and western countries harbour illegal laboratories manufacturing such fake medicines or served as countries of transit for medicines produced in other countries,
- H. whereas this problem is, in fact, widespread in all countries which have not yet adopted a pharmaceutical regulation system based on reliable quality controls and whereas the traffic is encouraged by the difficulties or ineffectiveness of customs controls,
1. Strongly condemns the manufacturers and distributors of such fake medicines, who are jeopardizing the lives of millions of people in developing countries;
  2. Calls on the Commission to assist states in developing quality control procedures, improving test laboratories and equipping themselves with pharmaceutical rules applicable to production, marketing and distribution of medicines;
  3. Calls on the Commission, in cooperation with the WHO and with NGOs, to implement information and prevention programmes, raising awareness among the general public and specialized personnel of the dangers involved in consumption of such fake medicines;
  4. Calls on NGOs to step up their cooperation at local level with health authorities in the countries concerned and at international level with the World Health Organization;
  5. Calls on manufacturers of pharmaceutical products to comply with international rules on good manufacturing practices and on distributors to check the reliability of their suppliers;
  6. Considers that the most effective way of combating the dissemination of counterfeit products in developing countries is to ensure that hospitals, clinics and pharmacies are supplied with generic medicines which may cost up to ten times less than comparable patent medicines;
  7. Instructs its Co-Presidents to forward this resolution to the Commission, the Council, the Member States, the World Health Organization and the ACP countries.
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RESOLUTION<sup>(1)</sup>**on the international conference in Abidjan on transmissible sexual diseases and Aids in Africa**

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - referring to Chapter III of the revised Fourth Lomé Convention, and more particularly Articles 152 to 155 thereof,
  - having regard to the resolution on the anti-Aids programme under Lomé IV adopted in May 1992 at the 54th ACP-EU Council meeting in Kingston,
  - having regard to its resolution adopted in Windhoek on 22 March 1996 and the European Parliament's resolution of 15 November 1995 on Aids in the Third World,
- A. whereas the world conference on Aids at Vancouver, Canada in July 1996 announced considerable progress in the fight against the disease, not only in research but also in the form of new treatments, and this progress has been confirmed by the decline in the death rate in some western countries,
- B. regretting, however, that the conference was largely geared to western interests and that neither the scientific community nor the pharmaceutical industry took account of the epidemiological, socio-economic or financial criteria of the Third World countries, where, nevertheless, most of the contaminated people are concentrated and where the epidemic is continuing its inexorable progress,
- C. repeating the appeal to political and economic circles by President Mandela at the Davos Summit to come to the aid of peoples which 'after bearing the burden of colonialism are now having to bear the burden of the Aids epidemic',
- D. alarmed at the fact that in addition to poverty, malnutrition, the absence of elementary hygiene and the precariousness of life sub-Saharan Africa is now facing the disastrous effects of armed conflicts and massive displacement of populations, and that these factors are making the poorest people still more vulnerable to epidemics and opportunist infections such as tuberculosis,
1. Welcomes the forthcoming international conference in Abidjan on Aids in Africa, geared to a specific approach in the African context, and calls on the Commission and Council to support the conference by all appropriate means, and to take account in their development policy and in the implementation of the Lomé Convention of the recommendations which the conference makes;
  2. Appeals to research scientists and the pharmaceutical industry to ensure that their endeavours are concentrated on developing a vaccine or treatments applicable to the poorest populations throughout the world;
  3. Wishes the new financial programme and the regional programmes to take account of the social and economic impact of Aids and to encourage real cooperation at regional and international level by all political, economic and financial operators;
  4. Pays tribute to the solidarity shown by the African families and communities affected by this menace, emphasizes the particularly courageous role of women but points out that survival strategies inevitably work to the detriment of future generations: children, mainly girls, being deprived of education, teenage pregnancies, children living precariously in an urban environment, the flight from the land and the disruption of the social fabric, the abandonment of farming etc.;
  5. Notes that there is an urgent need to improve the school systems by adding nutritional, health and medical programmes for young people, taking particular care to ensure that girls are kept in the education system;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

6. Emphasizes that priority must be given to programmes encouraging economic activities by women so that they can support their families;
7. Wishes traditional and religious leaders to guide people towards practices compatible with an Aids prevention policy and cooperate with the authorities to adapt customs and law to the situation created by the epidemic, with the aim of providing protection and income to the children or surviving spouse;
8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the organizers of the international conference on Aids in Africa.

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

#### on the eradication of poliomyelitis in Africa

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. having regard to Articles 1 and 5.1 of the Fourth Lomé Convention as amended, relating to the objectives and principles on which cooperation between the ACP States and the European Union is based,
- B. whereas in May 1988 the 41st World Health Assembly committed itself to the total eradication of poliomyelitis by the year 2000,
- C. having regard to Resolution AFR/RCR5 1995 of the WHO Regional Committee for Africa, as a strategy, which unanimously agreed that the eradication of poliomyelitis in Africa and the creation of National Days for Vaccination constituted an adequate strategy for attaining that objective by the year 2000,
- D. having taken due account of the Yaoundé Declaration for a poliomyelitis-free Africa, as adopted by the OAU Heads of State and Government at their 32nd ordinary session held at Yaoundé, Cameroon from 8 to 10 July 1997,
- E. having regard to the progress so far achieved world-wide with the eradication of this scourge in 150 countries,
- F. reaffirming the Action Plan for the implementation of the World Declaration on the Survival, Protection and Development of the Child in the Nineties, adopted by the World Summit on the Child held in September 1990 in New York,
- G. appreciating the true value of the African strategy in accordance with which a high-level committee presided over by President Nelson Mandela has been entrusted with the task of promoting social mobilization in the different countries of that continent and of seeking financial support from development partners,
- H. noting the efforts already made by the European Community to support the development of health services in general and vaccination in particular,
- I. stressing that the financial requirements for eradicating poliomyelitis are of limited duration,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

1. Notes with appreciation the ACP States' communication relating to a campaign for the eradication of poliomyelitis in Africa;
2. Fully supports the implementation of strategies devised and adopted by Africa relating to the organization of a National Day for Vaccination;
3. Welcomes the efforts already made by the WHO, UNICEF, Rotary International and other sources of financing to enable Africa to resolutely embark on the programme for the eradication of poliomyelitis;
4. Expresses its appreciation and support to President Nelson Mandela for his unstinting efforts to help create in Africa the conditions for promoting sustainable development;
5. Calls on the international community to lend its support to the programme for the eradication of poliomyelitis in Africa;
6. Urges the European Union to play a leading and coordinating role to encourage and support the countries, in particular those on the African continent, fighting to eradicate this scourge;
7. Requests the European Commission to contribute to the implementation of action programmes supported by African countries, by providing the necessary resources in the framework of the regional programme provided for under the Fourth Lomé Convention;
8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the Commission.

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

### on conflict prevention in Africa

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- having regard to its previous resolutions, in particular those adopted in Dakar, Libreville and Brussels,
- A. having regard to the number, intensity and duration of conflicts in Africa; recalling, in particular, the tension prevailing in Burundi, Angola, Rwanda and many other regions,
- B. whereas most of these conflicts are civil wars or inter-ethnic conflicts taking place within States and are generally the result of disastrous economic situations and/or the governments' disregard for human rights,
- C. having regard to the vast flow of refugees between African States and of displaced persons around the world (8,5 million in 1996),
- D. whereas too often the appeals made by populations, NGOs and governments to the major political decision-making bodies at international level remain unanswered, as shown once again by the tragic problem of refugees in Zaire,
- E. concerned at the fact that the increasing volume and cost of humanitarian actions is causing international organizations more and more financial problems and that every possible step should therefore be taken upstream to halt the escalation of potential conflicts and crises,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).



- F. convinced that the international community has the human, communication and financial resources to implement strategies aimed at foreseeing and preventing conflicts; convinced also that, although the necessary legal resources are still lacking, their availability is entirely dependent on political will,
- G. whereas the 1963 OAU Charter seeks to promote unity and solidarity between African States, and the coordination and intensification of their cooperation in order to improve the lives of their peoples,
- H. recalling that, in line with this policy, the OAU set up a mechanism in June 1993 for the prevention, management and resolution of conflicts, and stressing that special importance was to be given to the field of prevention,
- I. recalling the OAU resolutions which were adopted in Tunis and Addis Ababa, giving official recognition to the need for African forces responsible for conflict prevention, and the Agenda for Action adopted in Cairo in March 1995, in which the OAU stated its intention to set up a conflict prevention body, and whereas the Heads of State and of Government meeting on that occasion recognized that, without democracy and peace, no development was possible,
1. Reiterates its repeated calls for the setting up of international political cooperation structures endowed with sufficient and effective resources to enable them to prevent conflicts, initially by introducing mediation procedures;
  2. Supports the OAU's recommendations to its member states, in particular to set up or designate contingents in their armies to follow specialized training in the field of conflict prevention and peacekeeping operations, and calls for a report on actions initiated or completed;
  3. Recalls its requests and those of many public and private international forums for humanitarian law to be incorporated or codified in international texts and for the setting-up not only of an early warning system but also of improved information on humanitarian actions;
  4. Calls for conflict prevention measures to be an integral part of development aid and calls on the Commission to put forward proposals to this effect;
  5. Recalls its wish to see the forthcoming Intergovernmental Conference lay the foundations and establish the means of action for a genuine EU Common Foreign and Security Policy;
  6. Urges the Council and the Commission, in cooperation with the OAU and the other major international organizations, to maintain and support the holding of conferences or meetings of working groups and research bodies with a view to examining global problems, in particular in the region of the Great Lakes and other regions of Africa in which conflicts are likely to arise;
  7. Calls on the Council to consider the possibility of setting up a European corps, comprising civilian and military units in cooperation with the WEU, to carry out peacekeeping and peace restoration operations wherever necessary;
  8. Calls also for the establishment of a European civil corps to strengthen humanitarian action, promote the peaceful settlement of crises, prevent crises by encouraging the parties, populations or opposing groups to engage in confidence-building and reciprocity measures;
  9. Reaffirms its attachment to the establishment of a European Analysis Centre for the Prevention of Crises and stresses the need for the Centre to collaborate with and provide assistance for the OAU's mechanism for the prevention, management and resolution of conflicts and the importance of setting up a Permanent International Criminal Court;
  10. Calls on all international forums to give special consideration to refugees and displaced persons;
  11. Considers it essential to guarantee strict and sustained monitoring of situations in countries, such as Angola, inter alia, in which a peace agreement has been reached;

12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission, the UN Security Council, the OAU and the WEU.

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

### on anti-personnel mines

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - having regard to its previous resolutions on anti-personnel mines,
  - having regard to the joint actions of the Council on anti-personnel mines, notably those of 12 May 1995 and 1 October 1996,
- A. whereas the menace of anti-personnel mines affects a number of ACP countries, jeopardizing any prospect of sustained development for the populations in the affected areas,
  - B. drawing attention therefore to the crucial importance of the mine removal effort agreed by the international community and particularly the European Union,
  - C. calling to mind the disappointing conclusion of the conference to review the UN Convention of certain conventional weapons, and notably Protocol II on anti-personnel mines,
  - D. having regard to the outcome of the Ottawa Conference held on 3, 4 and 5 October 1996 on the issue of anti-personnel mines, and the follow-up programme agreed on that occasion,
    1. Welcomes the Ottawa Declaration for an international and legally binding agreement on a total and general ban on anti-personnel mines, and supports any diplomatic initiative to bring about that aim;
    2. Requests the ACP States and the Member States of the Union to promote in all international fora, and particularly within the Geneva Conference on disarmament, a total ban on antipersonnel mines;
    3. Deplores the fact that the funds allocated by the European Union to mine removal operations and mine removal training have been substantially reduced in 1997 and urges the European authorities to restore the Union's financial contribution to a level commensurate with the challenges facing the developing countries in the shape of mine removal, rehabilitation and reintegration of the victims;
    4. Calls on the Commission of the European Communities not to fund projects and programmes submitted by European undertakings which manufacture anti-personnel mines;
    5. Wishes the Union's research activities on mine removal to be guided towards mechanical techniques permitting faster removal of laid mines in improved safety conditions;
    6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the UN Secretary General.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

RESOLUTION <sup>(1)</sup>

## on ACP-EU trade relations

*The ACP-EU Joint Assembly,*

— meeting in Brussels from 17 to 20 March 1997,

- A. recalling the high priority accorded to the development of trade as a means of accelerating the growth of ACP economies and for their harmonious and gradual integration into the world economy in the Lomé IV Convention as revised by the agreement signed in Mauritius on 4 November 1995, and in particular the recognition by the Contracting Parties of the fundamental importance of trade in energizing the development process in ACP countries,
  - B. recognizing the bold and far-reaching macro economic reforms undertaken by many ACP countries which have resulted in tariff reduction in step with WTO principles and the removal of import restrictions, liberalization of the financial sector including the removal of exchange controls, the creation of an attractive and secure investment climate and the privatization of major state enterprises,
  - C. recognizing also the concerted effort of ACP countries to boost their exports and to diversify their export base,
  - D. emphasizing the need for these vigorous, determined and painful initiatives on the part of ACP countries to be met with appropriate supportive responses by their EU partners, in the form of policies which give concrete encouragement and effective support to them in the context of a secure, reliable and predictable trading environment,
  - E. noting in this regard the important role of appropriate foreign direct investment, joint venture partnerships and investment for on-lending in support of, for example, the development of SMEs,
  - F. concerned that despite their efforts and achievements in restructuring their economies, ACP countries still do not attract adequate levels of investment, particularly from the EU,
  - G. emphasizing the continued value and importance of the preferential access arrangements enjoyed by the ACP countries, and recognizing that so far these have tended to be utilised for the export of commodities rather than of manufactured goods,
  - H. noting that preferential access arrangements contribute to socio-economic development as well as the creation of a stable and predictable environment essential for investment and enhancing competitiveness,
  - I. recognizing the need and importance to give support to ACP economies confronted with new competition as a result of the globalization and liberalization of the international economy,
  - J. noting with concern in this regard, that despite the liberalization efforts of the developing countries and the principle of special and differential treatment for developing countries, as a permanent legal feature of the world trading system, industrialized countries have failed so far to honour commitments enshrined in the WTO agreements and are continuing to promote Free Trade Areas as a means of accelerating the economic development of developing countries,
1. Affirms the continuing value and relevance of the Lomé arrangements, including their trade and investment support mechanisms and the need to preserve and enhance them;

<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

2. Calls on the Community and its Member States to reaffirm the principle of preferential treatment underpinning ACP-EU cooperation;
3. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission and the signatories to the Lomé Convention.

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

on the creation and budgetary funding of the Secretariat for the chambers of commerce of the ACP countries in the Canary Islands, Spain

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - having regard to the Treaty of Maastricht, and especially Title XVII thereof,
  - having regard to the Fourth ACP-EU Lomé Convention revised by the protocol of Mauritius of 4 November 1995, and particularly Articles 6, 15(a), 110, 111, 136 and 220(p),
  - having regard to the resolution of the extraordinary session of the ACP Council of Ministers<sup>(2)</sup>, held in Montego Bay (Jamaica) from 7 to 10 July 1980, on the creation of a Federation of ACP Chambers of Commerce,
  - having regard to the resolution adopted by the ACP-EU Joint Assembly on fair and responsible trade,<sup>(3)</sup>
  - drawing attention to the provisions of the declaration and action programme of Suva<sup>(4)</sup>,
- A. having regard to the debate on future relations between the ACP and the European Union, launched by the Declaration of Mauritius on the holding of a Summit of ACP Heads of State and Government and, the presentation of the Green Paper and to subsequent developments,
- B. having regard to the role that may be played by the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators, representing the private sector in those countries, and to the search for greater efficiency from the Community cooperation policy and by reinvigorating their economies,
- C. whereas account should be taken of the private sector as a factor for economic revival and whereas it is expected to play an important role in creating the conditions needed to bring about peaceful transition and economic and social development, as well as in the development of trade and the training of human resources in the ACP States,
- D. whereas the development of the ACP States must always be the prime objective of European Union policy,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

<sup>(2)</sup> Resolution No 3 of the extraordinary session of the ACP Council of Ministers, held in Montego Bay (Jamaica) from 7 to 8 July 1980.

<sup>(3)</sup> Luxembourg, 26 September 1996 (ACP-EU 1823/96/fin.).

<sup>(4)</sup> ACP Council of Ministers, Suva (Fiji), 14 April 1977.

- E. whereas the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators, formally constituted at the meeting in the Canary Islands, Spain of 7 to 11 October 1996, will contribute to the growth of exchange of experience between the ACP States and will improve the efficiency of the market between the ACP countries and other regions of the world,
- F. whereas the private sector needs to be boosted and to play a much more important part than it has hitherto in implementing the ACP-EU Convention of Lomé,
- G. whereas the private sector is one of the motors of regional integration and whereas it should be involved in the work of the regional organizations,
- H. whereas the ACP-EU Joint Assembly favours diversifying the partners engaged in its cooperation,
- I. whereas the consequences of the GATT Uruguay Round will have an impact on the preferences of the ACP States and whereas the liberalization of world trade is bound to require the existence of a body organized by the private sector in the ACP States in order to face up to this challenge,
- J. whereas in most of the ACP States there is a large informal sector of the economy which should gradually be integrated into the formal sector and whereas the private sector will contribute to this gradual process,
- K. whereas in virtually all the ACP States economic development cannot be promoted unless there is an organized private sector enabling resources to be obtained to enable their economies to diversify,
- L. whereas it should be regarded as a positive advance to be able to assess the results of the Convention in a calm atmosphere, with the aim of removing the obstacles to development and making the necessary corrections to secure a future relationship of benefit to both sides,
- M. whereas there is a need for cooperation to be designed to create lasting endogenous development in the ACP States and a proper economic structure to generate wealth and employment,
1. Welcomes the recent constitution at the general meeting held in the remote region of the Canary Islands of the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators, with the hope that the Federation will be able to provide an impetus for the private sector in those countries and promote their integration into the world economy;
  2. Draws attention to the important function which the Federation is called upon to perform in coordinating and exchanging experience and information between the various private sectors of the ACP States;
  3. Points out that the absence of an appropriate organization for the private sector of the ACP States has proved a serious handicap to obtaining progress and more efficient results in the context of intra-ACP and ACP-EU trade cooperation;
  4. Highlights the need to encourage consolidation in an organized private sector that is capable of becoming a useful partner for the implementation of regional and inter-regional cooperation programmes to assist and expand the production capacity of the ACP States;
  5. Expressly underlines the need to involve the private sector to improve exploitation of the ACP-EU Convention of Lomé;
  6. Urges the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators to work closely with the ACP Secretariat and vice-versa, with the CID, and with the Commission to promote as effectively as possible the objectives laid down in the fourth Lomé Convention;

7. Notes with interest that the seat of the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators has been established in the Canary Islands, a peripheral region of the European Union;
8. Appreciates the assistance provided by the Government of the Canaries and the facilities made available to the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators;
9. Calls on the Commission to provide maximum support for the ACP Federation of National Chambers of Commerce, Industry and Other Economic operators, and for that support to take the form of a financial allocation to ensure that maximum priority is given to the commercial development of the ACP States and that at the same time it helps to pursue the objectives as defined;
10. Calls for the European Parliament to allocate funds to help improve the promotion of the Federation and its services to ACP and European economic operators;
11. Instructs its President to forward this resolution to the ACP-EU Council of Ministers, the Commission, the CID, the Economic and Social Committee, and the ACP Federation of National Chambers of Commerce, Industry and Other Economic Operators.

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

**on the implementation by the Commission of the ACP-EU Joint Assembly's resolution on infrastructure and ACP-EU cooperation**

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
  - whereas the ACP Assembly unanimously adopted a resolution and report (ACP-EU 1494) on the aspect of infrastructure and ACP-EU cooperation,
  - whereas the Commission agreed to report two years later on the way in which the recommendation and resolution would be implemented in the various programmes under the auspices of ACP-EU cooperation,
1. Calls on the Commission duly to submit the report to the next ACP-EU Assembly, so that the Assembly can assess and consider the implementation of its resolution;
  2. Instructs its Co-President to forward this resolution to the ACP-EU Council and the Commission.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

RESOLUTION<sup>(1)</sup>

## on the employment of children

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- having regard to the ILO conventions on the employment of children, including Convention 138 of 1973 on the minimum age,
- A. welcoming the work carried out jointly by the ILO and UNICEF to coordinate their policies and practices,
- B. whereas about 250 million children aged 5 to 14 are at present working in the developing countries, 120 million of them full-time and 130 million part-time, and whereas about 73 million children aged 10 to 14 are working full-time in about a hundred countries,
- C. whereas in the developing countries about 61 % of such children (almost 153 million) live in Asia, 32 % (80 million) in Africa and 7 % (17,5 million) in Latin America,
- D. whereas there is a need to denounce and eradicate certain forms of employment, living conditions, forced labour and slavery which cannot be tolerated and yet to which such children are subjected,
- E. whereas physical and mental trauma is caused by such arduous and unfair living conditions,
- F. condemning every form of exploitation and the dangers facing these children in their millions: slavery and forced labour in agriculture, mining, factories and craft trades, fisheries, domestic work, the building industry, prostitution and trafficking in young boys and girls,
- G. concerned at the spread and expansion of the sex trade in Asia, Latin America and Africa,
  1. Supports the action of the ILO and UNICEF;
  2. Urges all the signatory countries of the Lomé Convention to eradicate all forms of bonded labour, slavery, paedophilia and trafficking in and forced employment of children;
  3. Wishes to see the adoption of new conventions to make it possible to work more directly and effectively for the abolition of the most unacceptable and dangerous forms of child labour, such as slavery, bonded labour, forced labour and serfdom;
  4. Calls on the member states of the Lomé Convention to ratify all the present conventions and recommendations;
  5. Underlines the need to monitor compliance with the ratification of such texts;
  6. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the UN Secretary General.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).

RESOLUTION<sup>(1)</sup>

## on the abolition of the death penalty

*The ACP-EU Joint Assembly,*

- meeting in Brussels from 17 to 20 March 1997,
- having regard to its previous resolutions on the abolition of the death penalty and in particular the resolution adopted on 26 September 1996, calling for the abolition of the death penalty in all the signatory States of the Lomé Convention,
- having regard to the European Parliament resolution of 17 May 1995, affirming that an article on prohibition of the death penalty should be incorporated in the Treaty on European Union, and that of 20 February 1997 calling on all the Member States to support a resolution on a worldwide moratorium on exceptions at the 1997 session of the United Nations Commission on Human Rights,
- having regard to the last report of the United Nations on the death penalty (E/CN.15/1996/19) that confirms the abolitionist trend among its member states,
  - A. whereas recourse to the death penalty has been proliferating throughout the world during the last few years,
  - B. welcoming the complete abolition of the death penalty in Italy, Spain, Belgium, Moldova and Macedonia in 1995 and 1996,
  - C. welcoming the fact that, during the last two years, important international organisations such as the Council of Europe, the European Parliament, the Latin American parliament and the ACP-EU Joint Assembly have approved resolutions for a worldwide moratorium on executions as a first step towards the abolition of the death penalty,
  - D. noting with satisfaction that Italy has proposed to the Intergovernmental Conference introducing a new provision banning the death penalty when the Maastricht Treaty is revised,
    - 1. Reaffirms its absolute opposition to the death penalty;
    - 2. Calls on all the signatory states of the ACP-EU Convention which have not yet abolished capital punishment to do so as a matter of urgency;
    - 3. Calls on all the Member States of the European Union and the ACP to promote the adoption of a resolution on a universal moratorium on executions at the 1997 UN General Assembly, as a first step towards abolishing the death penalty for all crimes by the year 2000;
    - 4. Believes that in all negotiations on Partnership and Cooperation Agreements, as well as in the negotiations for the next Lomé Convention, the abolition of the death penalty must be a priority;
    - 5. Asks the Commission to pay special attention to the death penalty in its annual reports on human rights clauses in EU agreements with third countries and in its reports on the implementation of the Lomé Convention;
    - 6. Repeats its call to the Intergovernmental Conference to incorporate prohibition of capital punishment in the new EU Treaty;
    - 7. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, to the Commission, to the Secretary-General of the Council of Europe, the President of its Parliamentary Assembly, the Secretary-General of the UN and the President of its General Assembly.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Assembly on 20 March 1997 in Brussels (Belgium).