

English edition

## Information and Notices

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## I

*(Information)*

JOINT PARLIAMENTARY ASSEMBLY OF THE PARTNERSHIP AGREEMENT CONCLUDED BETWEEN THE MEMBERS OF THE AFRICAN, CARIBBEAN AND PACIFIC GROUP OF STATES, OF THE ONE PART, AND THE EUROPEAN COMMUNITY AND ITS MEMBER STATES, OF THE OTHER PART

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BRAZZAVILLE

(Republic of the Congo)

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**MINUTES OF THE SITTING OF MONDAY, 31 MARCH 2003**

(2003/C 231/01)

*(The sitting opened at 2.40 p.m.)*

**Formal inaugural sitting**

The following addressed the Assembly: Mr Hugues Ngouelondele, Mayor of Brazzaville, H.E. Mr Jean-Pierre Thystere Tchicaya, President of the National Assembly, Mr Angelo Beda, acting ACP Co-President of the Joint Parliamentary Assembly, Mrs Glenys Kinnock, EU Co-President of the Joint Parliamentary Assembly, and H.E. Mr Denis Sassou Nguesso, President of the Republic of the Congo, who declared the 5th session open.

*(The sitting adjourned at 4 p.m. and resumed at 5 p.m.)*

IN THE CHAIR: Mr Angelo BEDA

*Acting Co-President*

**Sitting of the Joint Parliamentary Assembly**

Mr Beda gave the floor to Mrs Kinnock, Co-President, who made a declaration on the war in Iraq. The Assembly then observed a minute's silence.

**1. Composition of the Joint Parliamentary Assembly**

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

**2. Composition of the Bureau of the Joint Parliamentary Assembly**

The Co-President announced that he had received the following proposals pursuant to Article 2 of the Joint Parliamentary Assembly's Rules of Procedure:

**ACP Members**

ACP Co-President:

Mr Adrien Houngbedji (Benin)

ACP Vice-Presidents <sup>(1)</sup>:

Congo

Cook Islands

Djibouti

Gabon

Haiti

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<sup>(1)</sup> Countries in alphabetical order.

Mozambique  
 Namibia  
 Nigeria  
 Saint Lucia  
 Samoa  
 Senegal  
 Sudan

### European members

EU Co-President:

Mrs Glenys Kinnock

EU Vice-Presidents:

Mr Cornillet  
 Mrs Junker  
 Mr Schwaiger  
 Mr Martínez Martínez  
 Mrs Ferrer  
 Mrs Carlotti  
 Mr Corrie  
 Mr Busk  
 Mr Brienza  
 Mr Rod  
 Mrs Theorin  
 Mr Sylla

The Bureau, as set out above, was elected by acclamation.

### 3. Composition of standing committees

The Co-President announced that the standing committees had been set up and had elected their bureaux as follows:

#### — Committee on Political Affairs

Co-chairmen: Mr Pierre Sonçon Prince (Haiti) and Mrs Hanja Maij-Weggen

Vice-chairmen: Mr Martínez Martínez and Mr Joëli Nabuka (Fiji)

#### — Committee on Economic Development, Finance and Trade

Co-chairmen: Mr Richard Howitt and Mr Jean-Pierre Lekoba (Republic of the Congo)

Vice-chairmen: Mr Bashir Khanbhai and Mr Ali Niangadou (Mali)

#### — Committee on Social Affairs and the Environment

Co-chairmen: Mr Mothetjoa Mesting (Lesotho) and Mr Anders Wijkman

Vice-chairmen: Mr Polisi Denys (Rwanda) and Mrs Karin Scheele

### 4. Accreditation of non-parliamentary representatives

The Co-President announced that the authorities of the ACP States had sent a list of non-parliamentary representatives. In accordance with Article 17(1) of the Partnership Agreement and Article 1 of the Rules of Procedure of the Joint Parliamentary Assembly, he proposed that these representatives should be recorded and their names listed in an annex to the minutes.

The Assembly agreed to this.

### 5. Substitutes

The Co-President announced the following substitutes: Bebear (for Balfe), Berenguer Fuster (for Menéndez del Valle), Knolle (for Ferrer) and Scarbonchi (for Wurtz).

### 6. Documents received

The Co-President announced that the following documents had been received:

- Report by the Working Group on the Implementation of the New Partnership Agreement (Rules of Procedure), rapporteur Mr Monnou (APP/3439).
- Report on the joint mission of the ACP-EU parliamentary delegation to the Caribbean, presented by Glenys Kinnock, EU Co-President of the JPA, Youssouf Moussa Dawaleh (Djibouti), ACP Vice-President of the JPA, and Thierry Cornillet, EU Vice-President of the JPA (APP/3495).

*Motions for resolutions submitted to the Joint Parliamentary Assembly by the Bureau, pursuant to Article 18(5).*

The Co-President informed the members of the results of the Bureau's recommendations and asked authors of motions for resolutions on identical subjects to agree on a compromise text.

#### West Africa

- (APP/3501) by the following members: Schwaiger and Cornillet, on behalf of the PPE-DE Group, van den Bos, on behalf of the ELDR Group, and Ribeiro e Castro, on behalf of the UEN Group
- (APP/3502) by the following members: Sylla and Scarbonchi, on behalf of the GUE/NGL Group, and Rod, Isler Béguin, Maes, Lannoye and Schörling, on behalf of the Verts/ALE Group

- (APP/3503) by the representative of Togo
- (APP/3504) by the following members: Carlotti, Karanmanou and Junker, on behalf of the PSE Group

#### Central Africa

- (APP/3505) (Great Lakes) by the following members: Kinnock, EU Co-President, and Cornillet, EU Vice-President
- (APP/3506) (Great Lakes) by the representative of Rwanda
- (APP/3507) by the following members: Sauquillo and Junker, on behalf of the PSE Group

#### Southern Africa

- (APP/3508) by the representatives of the countries of southern Africa
- (APP/3509) by the following members: Majj-Weggen, on behalf of the PPE-DE Group, van den Bos, on behalf of the ELDR Group, and Ribeiro e Castro, on behalf of the UEN Group
- (APP/3510) by the following members: Theorin, van den Berg, Kinnock and Junker, on behalf of the PSE Group
- (APP/3511) by the following members: Lannoye, Rod, Schörling, Maes and Isler Béguin, on behalf of the Verts/ALE Group
- (APP/3512) by the following members: Miranda and Sylla, on behalf of the GUE/NGL Group

#### Zimbabwe

- (APP/3513) by the representatives of the countries of southern Africa
- (APP/3514) by the following members: Corrie, Gahler and Khanbhai, on behalf of the PPE-DE Group, Flesch, van den Bos and Dybkjær, on behalf of the ELDR Group, and Andrews, on behalf of the UEN Group
- (APP/3515) by the representative of Zimbabwe
- (APP/3516) by Mrs Kinnock, on behalf of the PSE Group
- (APP/3517) by the following members: Maes, Rod, Lannoye, Schörling and Isler Béguin, on behalf of the Verts/ALE Group
- (APP/3518) by the following members: Sylla and Scarbonchi, on behalf of the GUE/NGL Group

#### East Africa

- (APP/3519) by the following members: Khanbhai and Gemelli, on behalf of the PPE-DE Group, and van den Bos, Van Hecke and Dybkjær, on behalf of the ELDR Group

- (APP/3520) by the following members: Ghilardotti and Junker, on behalf of the PSE Group, and Sylla and Miranda, on behalf of the GUE/NGL Group

- (APP/3521) by Mr Weldegiorgis (Eritrea)

- (APP/3522) by Mr Yohannes (Ethiopia)

- (APP/3523) by Mr Beda (Sudan)

- (APP/3524) by the following members: Isler Béguin, Lannoye, Rod, Schörling and Maes, on behalf of the Verts/ALE Group

#### Caribbean

- (APP/3551) by the following members: Kinnock, Co-President, Dawaleh (Djibouti) and Cornillet, Vice-Presidents

- (APP/3525) by the ACP Group

- (APP/3526) by the following members: Khanbhai, Ayuso González and Fernández Martín, on behalf of the PPE-DE Group, and van den Bos, Flesch and Sanders-ten-Holte, on behalf of the ELDR Group

- (APP/3527) by the following members: Martínez Martínez, Fava and Junker, on behalf of the PSE Group, Schörling, Maes, Rod, Lannoye and Isler Béguin, on behalf of the Verts/ALE Group, and Miranda and Sylla, on behalf of the GUE/NGL Group

#### Pacific

- (APP/3528) by the representatives of the countries of the Pacific Region

- (APP/3529) by the following members: Wieland, Bowis, Khanbhai and Deva, on behalf of the PPE-DE Group, and van den Bos and Sanders-ten-Holte, on behalf of the ELDR Group

#### European Union

- (APP/3530) by the following members: Schörling, Maes, Lannoye, Rod and Isler Béguin, on behalf of the Verts/ALE Group

#### International Criminal Court

- (APP/3531) by the following members: Wieland, Gemelli and Majj-Weggen, on behalf of the PPE-DE Group, Theorin, Fava, Carlotti, van den Berg and Junker, on behalf of the PSE Group, van den Bos, on behalf of the ELDR Group, Sylla and Miranda, on behalf of the GUE/NGL Group, and Rod, Maes, Lannoye, Schörling and Isler Béguin, on behalf of the Verts/ALE Group

## NEPAD

- (APP/3532) by the following members: Howitt and Junker, on behalf of the PSE Group, and Davies (South Africa)
- (APP/3533) by the following members: Corrie, Maij-Weggen and Schwaiger, on behalf of the PPE-DE Group, van den Bos and Manders, on behalf of the ELDR Group, and Andrews and Ribeiro e Castro, on behalf of the UEN Group
- (APP/3534) by the following members: Rod, Lannoye, Schörling, Maes and Isler Béguin, on behalf of the Verts/ALE Group, and Miranda, on behalf of the GUE/NGL Group
- (APP/3535) by the representative of Niger

## Follow-up to the Johannesburg Summit

- (APP/3536) by the following members: Howitt, Scheele, Gröner, Goebbels and Junker, on behalf of the PSE Group, van den Bos, Sanders-ten-Holte and Dybkjær, on behalf of the ELDR Group, and Davies (South Africa)
- (APP/3537) by Mr Yohannes (Ethiopia), on behalf of the ACP Group
- (APP/3538) by the representative of Niger
- (APP/3539) by the following members: Wijkman and Bowis, on behalf of the PPE-DE Group
- (APP/3540) by the following members: Miranda and Sylla, on behalf of the GUE/NGL Group, and Lannoye, Rod, Schörling, Maes and Isler Béguin, on behalf of the Verts/ALE Group
- (APP/3550) (research and sustainable development) by the ACP Group

## Trade negotiations

- (APP/3541) by the representatives of South Africa, Mauritius and Namibia, Schwaiger, Wijkman and Deva, on behalf of the PPE-DE Group, and Martínez Martínez, Kinnock and Junker, on behalf of the PSE Group
- (APP/3542) by the following members: Miranda and Sylla, on behalf of the GUE/NGL Group, and Rod, Lannoye, Maes, Schörling and Isler Béguin, on behalf of the Verts/ALE Group
- (APP/3543) by the following members: Miranda, Scarbonchi and Vinci, on behalf of the GUE/NGL Group, and Rod, Lannoye, Maes, Isler Béguin and Schörling, on behalf of the Verts/ALE Group
- (APP/3544) (coffee) by Mr Yohannes (Ethiopia), on behalf of the ACP Group
- (APP/3545) (rice) by the representatives of Suriname, Guyana and the Caribbean Group

- (APP/3546) (sugar) by the ACP Group
- (APP/3547) (tuna) by the ACP Group
- (APP/3548) (promotion of the private sector) by the ACP Group
- (APP/3549) (racism) by the ACP Group.

## 7. Adoption of draft agenda (APP/3498)

The following spoke on the draft agenda: Dinyando (Namibia), Speroni, Boureïma (Niger), Scarbonchi, Corrie, Khanbhai, Rod, Prince (Haiti), Junker, Theorin, Morillon and Martínez Martínez.

The deadline for tabling compromise motions for resolutions was set for Monday 31 March at 6 p.m.

The deadline for tabling amendments was set as follows:

- amendments to compromise motions for resolutions and other motions for resolutions to be put to the vote, and to the Rules of Procedure (APP/3439): 10 a.m. on Wednesday 2 April,
- requests concerning voting procedures (separate votes, secret ballot, by separate houses): 9 a.m. on Thursday 3 April, in writing.

Thus amended, the draft agenda was adopted.

## 8. Debate on the situation in the African Great Lakes region

- **Report by Mrs Glenys Kinnock and Mr Thierry Cornillet on their fact-finding mission to the African Great Lakes region**

The Co-President recalled that, at its meeting of 8 and 9 September 2002 in Rarotonga (Cook Islands), the Bureau had decided, pursuant to Article 28 of the Rules of Procedure, to send the two Co-Presidents on a fact-finding mission to the Great Lakes region. He then gave the floor to Mrs Kinnock, who summarised the mission which had taken place between 28 October and 1 November 2002.

The following spoke: Mulage (Democratic Republic of the Congo), Morillon, Polisi (Rwanda), van den Berg, Nguema Owono (Equatorial Guinea), Van Hecke, Scarbonchi, Maes, Khanbhai, Sauquillo Pérez del Arco, Kiraso (Uganda), Rod, Tall Mountaga (Mali), Dawaleh (Djibouti) and Niyuhire (Burundi).

Mr Hamburger, Commission representative, spoke.

9. **Subjects relating to the situation in different countries or regions, pursuant to Article 8 (1)(i) of the Rules of Procedure**

Leone), Rod, Amon-Ago (Côte d'Ivoire), Natchaba (Togo), Hinvi (Benin), Barry (Guinea) and Hamburger (European Commission).

West Africa

The following spoke: Morillon, Osei-Prempeh (Ghana), B. Minor (Liberia), Carlotti, Tall Mountaga (Mali), Fofanah (Sierra

Southern Africa

The Hon. A.B. Masalila (Botswana) spoke.

The Co-President thanked the speakers.

*(The sitting closed at 7.20 p.m.)*

Angelo BEDA and Glenys KINNOCK

*Co-Presidents*

Jean-Robert GOULONGANA and Dietmar NICKEL

*Co-Secretaries-General*

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**MINUTES OF THE SITTING OF TUESDAY, 1 APRIL 2003**

(2003/C 231/02)

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

IN THE CHAIR: Mrs KINNOCK,

*Co-President*

Mrs Kinnock welcomed the entry into force of the Cotonou Partnership Agreement on that day and explained the new procedures that would be introduced according to whether or not countries had ratified the Agreement.

**1. Substitutes**

The Co-President announced the following substitutes: Bebear (for Balfe), Knolle (for Ferrer) and Scarbonchi (for Wurtz).

**2. Statement by Mr Poul Nielson, Member of the European Commission with responsibility for development and humanitarian aid**

Mr Nielson explained the implications of the new Agreement and set out the European Commission's approach to reducing poverty. The Commission had undertaken to improve procedures for the allocation of the 9th EDF and to increase expenditure for health and education. He hoped that the establishment of committees within the JPA would enable the new agreement to be more effectively monitored.

**3. Question time — Commission**

28 questions were put to the Commission.

Mr Nielson replied to the following questions and to supplementary observations by their authors:

Question No 1 by Mr Busk, on behalf of the ELDR Group, on food shortages in Africa

Question No 2 by Mr Bullmann, on behalf of the PSE Group, on the food crisis in Africa

Question No 3 by Mr Weldegiorgis (Eritrea), on drought in Africa

Question No 4 by Mrs Flesch, on behalf of the ELDR Group, on the financing of the Global Health Fund

Question No 5 by Mr Manders, on behalf of the ELDR Group, on Ebola

Question No 8 by Mr van den Bos, on behalf of the ELDR Group, on candidate countries and Cotonou

Question No 6 by Mr Khanbhai on the aid programme

Question No 10 by Mrs Theorin on gender and mainstreaming in EU aid to ACP countries

Question No 28 by Mrs Masalila (Botswana) on gender equality

Question No 12 by Mr Van Hecke, on behalf of the ELDR Group, on forests and development

Question No 11 by Mr Metsing (Lesotho) on the new EU regulations on the deployment of EU assistance within four years of the signing of the financing proposal

Question No 7 by Mrs Kinnock on the European Development Fund

Question No 19 by the representative of the Cook Islands on tourism

Question No 20 by Mrs Sauquillo Pérez del Arco on cooperation with Haiti

Question No 21 by Mr van den Berg on the Joola — recovery

Question No 22 by the following members: Lucas, Rod, Schörling, Lannoye, Maes and Isler Béguin, on behalf of the Verts/ALE Group, on Lesotho

Question No 23 by the following members: Isler Béguin, Rod, Maes, Lannoye, Schörling and Boumediene-Thiery, on behalf of the Verts/ALE Group, on Mauritania

Question No 24 by Mr Bowis on Tanzania

Question No 25 by Mrs Carlotti on the operation of the EU delegation in Cuba

Question No 9 by Mr Davies (South Africa) on the Commission's mandate for Cotonou Agreement negotiations with the ACP countries

Question No 13 by Mr Miranda on trade negotiations and the ACP external debt

Question No 26 by the representative of the Republic of Guyana on EPA negotiations

Question No 14 by the representative of the Republic of Suriname on the impact on the ACP rice exporting countries of changes proposed by the Commission to the CMO for rice

Question No 16 by the following members: Lannoye, Isler Béguin, Lucas, Rod, Maes and Schörling, on behalf of the Verts/ALE Group, on coffee

Question No 17 by Mr Dinyando (Namibia) on the institutional basis for resolving trade issues in future EU-BLNS relations

Question No 18 by Mrs Marieke Sanders-ten Holte, on behalf of the ELDR Group, on the small-arms trade

Question No 27 by Mr Faure (Seychelles) on preferential market access for ACP-originating canned tuna

Question No 15 by the representative of the Republic of Guyana on sugar.

#### 4. Trade: Exchange of views on the state of multilateral negotiations

Mr Nielson (Commissioner) and Mrs Adelaïde Moundele Nkolo (Minister of Trade of the Republic of the Congo) spoke on the state of multilateral negotiations (Doha Round) and preparations for the WTO Conference in Cancún (Mexico).

The following spoke: van den Berg, Dawaleh (Djibouti), Busk, Rod, Davies (South Africa), Scarbonchi, Gunness (Mauritius), Tall Mountaga (Mali), Arouna (Niger) and Sardjoe (Suriname).

Mr Nielson and Mrs Moundele Nkolo answered the questions.

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

IN THE CHAIR: Mr BEDA

*Acting Co-President*

#### 5. Report on the activities of the economic and social partners and exchange of views

Mr Sukhdav Sharma (Chairman of the ACP-EU follow-up group) introduced his report.

The following spoke: Junker, the representative of Côte d'Ivoire and Laryea (Eurostep).

#### 6. Debate on the war in Iraq

The following spoke: Morillon, the representative of Guinea, Martínez Martínez, Callanan, the representative of Namibia, the representative of Angola, van den Berg, the representative of St Vincent and the Grenadines, Junker, the representative of Niger, Rod, the representative of Lesotho, Theorin, Prince (Haiti), Faure (Seychelles), Busk, Davies (South Africa), Schörling, the representative of Uganda, Sylla and the representative of Cuba (observer).

Mr Sylla proposed that a motion for a resolution be tabled on the war in Iraq.

The following raised a point of order: the representative of St Vincent and the Grenadines, Corrie and Sylla.

The following spoke: Beda, acting Co-President, and the representative of St Vincent and the Grenadines.

Decision: Mr Sylla's motion for a resolution was deemed inadmissible.

#### 7. Subjects relating to the situation in different countries and regions, pursuant to Article 8(1)(i) of the Rules of Procedure (continuation of debate)

East Africa

The following spoke: Weldegiorgis (Eritrea), Khanbhai, the representative of Kenya, Gemelli, Yohannes (Ethiopia), Van Hecke, Schörling, the representative of Uganda, Dawaleh (Djibouti), the representative of Sudan and Hamburger (European Commission).

Caribbean

The following spoke: the representative of Dominica, Khanbhai, Jean (St Lucia), Martínez Martínez, Dawaleh (Djibouti), who gave a report of the ACP-EU JPA mission to the Caribbean, Prince (Haiti), the representative of St Vincent and the Grenadines, the representative of Jamaica and Hamburger (European Commission).

## Pacific

The following spoke: Corrie, the representative of Samoa, the representative of Fiji, Maes and Hamburger (European Commission).

## European Union

There were no speakers.

## Zimbabwe

The following spoke: Corrie, the representative of Zimbabwe, Junker, the representative of St Vincent and the Grenadines, Theorin, the representative of Botswana, Callanan, the representative of Uganda and van den Berg.

Mozambique raised a point of order asking whether an opposition Member of Parliament could speak, pointing out

that if he was permitted to speak he would not represent the views of the Mozambique government or delegation. Mrs Maes pointed out that this was a parliamentary delegation and opposition politicians should have the right to speak.

The acting Co-President observed that EU members did not represent their countries whereas ACP Members did.

The following spoke: Maes, Mozambique opposition delegate (interrupting) and the representative of Namibia.

The representative of Mali and Mrs Junker raised a point of order asking for a clear ruling on whether the representative of the Mozambique opposition could be allowed to speak.

The acting Co-President observed that the Rules of Procedure required the JPA to be formed of equal numbers of members from the ACP and EU sides. ACP members represented their countries, but some countries sent more than one delegate. Article 15 allowed Members to speak only if called by the President. He announced that a formal ruling would be made by the Bureau.

*(The sitting closed at 7.20 p.m.)*

Angelo BEDA and Glenys KINNOCK

*Co-Presidents*

Jean-Robert GOULONGANA and Dietmar NICKEL

*Co-Secretaries-General*

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**MINUTES OF THE SITTING OF WEDNESDAY, 2 APRIL 2003**

(2003/C 231/03)

*(The sitting opened at 9.17 a.m.)*

IN THE CHAIR: Mrs. Glenys KINNOCK

*Co-President*

**1. Substitutes**

The Co-President announced the following substitutes: Bebear (for Balfe), García-Margallo (for Bowis), Knolle (for Ferrer), Pomés Ruiz (for Lulling) and Scarbonchi (for Wurtz).

The Co-President announced that Item 10 on the agenda would be taken first, followed by Council statements and answers to questions.

**2. Subjects and themes relating to development cooperation between the EU and ACP countries under the Cotonou Agreement, pursuant to Article 8(1)(ii)**

*International Criminal Court*

The following spoke: Theorin, Fava, Fofanah (Sierra Leone), Amon-Ago (Côte d'Ivoire), the representative of Congo and van den Berg.

*NEPAD*

The following spoke: Boureïma (Niger), the representative of Ghana, Amon-Ago (Côte d'Ivoire), Schörling, Olango (Ethiopia), Mporogomyi (Tanzania), Bebear and Hamburger (European Commission).

*Follow-up to the Johannesburg Summit*

The following spoke: Boureïma (Niger) and Hamburger (European Commission).

**3. Statement by Mr Andreas Loverdos, Greek Deputy Foreign Minister responsible for foreign trade and development cooperation, President-in-Office of the EU Council**

Mr Loverdos addressed the Assembly on behalf of the EU Council.

**4. Statement by Ambassador Todd McClay, on behalf of the President-in-Office of the ACP Council**

Mr McClay addressed the Assembly on behalf of the ACP Council.

**5. Question time — Council**

Three questions were put to the ACP Council of Ministers.

Mr McClay replied to the following questions and to supplementary questions by their authors:

Question No 1 by Mr Davies (South Africa) on the ACP Council's approach to the negotiations with the EU: the position of LDCs

Question No 2 by the following members: Lucas, Lannoye, Rod, Schörling, Maes and Isler Béguin, on behalf of the Verts/ALE Group, on Lesotho

Question No 3 by the following members: Schörling, Lannoye, Lucas, Rod, Maes and Isler Béguin, on behalf of the Verts/ALE Group, on Somalia

Sixteen questions were put to the EU Council of Ministers.

Mr Loverdos replied to the following questions and to the supplementary questions by their authors:

Question No 4 by Mrs Kinnock on EU-Africa relations

Question No 6 by Mrs Dybkjær, on behalf of the ELDR Group, on conflict prevention

Question No 8 by Mr Bowis on a draft action plan to combat trafficking in human beings

Question No 12 by Mr van den Berg on the Kimberley Process

Question No 5 by Mrs Sauquillo Pérez del Arco on EU enlargement and cooperation policy

Question No 9 by Mr Miranda on trade negotiations and ACP external debt

Question No 13 by Mr Khanbhai on investment in rural economic development

Question No 7 by Mr van den Bos, on behalf of the ELDR Group, on combating terrorism

Question No 14 by Mrs Carlotti on the political situation in Equatorial Guinea

Question No 15 by Mr Van Hecke, on behalf of the ELDR Group, on East Congo

Question No 16 by the following members: Maes, Rod, Lannoye, Schörling and Isler Béguin, on behalf of the Verts/ALE Group, on the Democratic Republic of Congo

Question No 17 by the following members: Rod, Maes, Lannoye, Lucas, Schörling and Isler Béguin, on behalf of the Verts/ALE Group, on the Chad-Cameroon oil pipeline

Question No 18 by the following members: Schörling, Maes, Isler Béguin, Lannoye, Rod and Lucas, on behalf of the Verts/ALE Group, on Sudan — oil and conflict

Question No 19 by Mr Weldegiorgis (Eritrea) on the demarcation of the Eritreo-Ethiopian Boundary

Question No 10 by Mr Yohannes (Ethiopia) on the cultural heritage

Question No 20 by Mr Martínez Martínez on the accession of Cuba to the Cotonou Agreement

*(The sitting closed at 12.10 p.m.)*

Angelo BEDA and Glenys KINNOCK

*Co-Presidents*

Jean-Robert GOULONGANA and Dietmar NICKEL

*Co-Secretaries-General*

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**MINUTES OF THE SITTING OF THURSDAY, 3 APRIL 2003**

(2003/C 231/04)

*(The sitting opened at 9.30 a.m.)*

IN THE CHAIR: Mrs KINNOCK

*Co-President***1. Substitutes**

The Co-President announced the following substitutes: Bebear (for Balfe), García-Margallo (for Bowis), Knolle (for Ferrer), Pomés Ruiz (for Lulling) and Scarbonchi (for Wurtz).

APP/3561/COMP on the New Partnership for Africa's Development (NEPAD): adopted.

APP/3563/COMP on the Johannesburg Summit: adopted with two amendments.

**2. Summary reports from the workshops**

The two rapporteurs of the workshops that had taken place on Wednesday afternoon gave an account of the work and contributions.

APP/3562/COMP on the follow-up to the Johannesburg Summit: adopted.

APP/3550 on research and sustainable development: adopted.

Mr Khanbhai spoke on the workshop on the economic and environmental problems facing the Congo basin; and Mr Morillon spoke on the workshop on peace and conflict prevention and resolution.

APP/3564/COMP on the World Trade Organisation Doha Round negotiations: adopted with three amendments.

APP/3565/COMP on WTO negotiations on health issues: adopted with one amendment.

**3. Vote on the amendments to the Rules of Procedure**

Mr Rod asked whether or not the 'd'Hondt system' was to be applied on the basis of a strict interpretation. Mr Khanbhai, speaking on behalf of Mr Corrie, confirmed that a broad interpretation would be used, allowing each group to express its views during an initial period of speaking time in accordance with the d'Hondt rule.

APP/3566/COMP on the coffee crisis in the international market: adopted with five amendments and two technical amendments presented orally by Mr Van Hecke.

APP/3545 on rice: adopted.

APP/3546 on sugar: adopted with one amendment.

Mrs Kinnock outlined the voting procedure.

APP/3547 on tuna: adopted.

The amendments were unanimously adopted en bloc by separate houses.

APP/3548 on the promotion of the private sector in the context of the Cotonou Partnership Agreement: adopted.

Mr Straker (Saint Vincent and Grenadines) spoke.

APP/3549/COMP on racism, racial discrimination, xenophobia and related intolerance: adopted with one amendment.

**4. Declaration on Iraq**

The declaration was adopted by acclamation.

APP/3552/COMP on the situation in West Africa: adopted with 10 amendments.

APP/3553/COMP on the situation in Central Africa: adopted with 14 amendments.

**5. Vote on the motions for resolutions**

APP/3560/COMP on the International Criminal Court (ICC): adopted.

APP/3554/COMP on the situation in Southern Africa: adopted with 12 amendments.

APP/3557/COMP on the situation in East Africa: adopted.

APP/3558/COMP on the situation in the Caribbean region: adopted with five amendments.

APP/3559/COMP on the situation in the Pacific region: adopted.

APP/3567/COMP on the situation in the European Union: adopted.

The sitting adjourned to enable the Co-Presidents to listen to the recordings of the votes as the result of the vote on Amendment 8 to resolution APP/3558/COMP had been challenged.

The following spoke: Khanbhai, Miranda, Davies (South Africa), Carlotti, Pomes Ruiz, Cornillet, García-Margallo, Sauquillo Pérez del Arco, Straker (Saint Vincent and Grenadines), Sylla, Martínez Martínez, Fava and Knolle.

The Co-Presidents jointly announced that Amendment 8 to resolution APP/3558/COMP had duly been adopted and the result correctly announced.

It was impossible for such a vote to be taken again, but, in the light of the apparent confusion of some members at the time of that vote, it was decided to reflect in the minutes the fact that certain members had stated that they intended to vote against Amendment 8 but had not done so.

No resolution was adopted on Zimbabwe.

Straker (Saint Vincent and Grenadines), Matongo (Zambia), Mangwana (Zimbabwe), Davies (South Africa) and Theorin gave an explanation of their vote on Zimbabwe.

Mrs Kinnock concluded that, on the basis of a visit by the Co-Presidents to Zimbabwe — for which authorisation had been requested from the country's authorities and which the

representatives of Zimbabwe could support — and of the peaceful solutions which could be put forward in a report of the Committee on Political Affairs, a resolution on Zimbabwe could be adopted at the next session.

Mr Jean (Saint Lucia) requested that the representative of Cuba (observer) be authorised to speak. The latter spoke.

A representative of the Zimbabwean Movement for Democratic Change spoke on human rights violations and, in particular, repressive action against opposition parliamentarians.

De Sousa (Angola) and Junker spoke on the speaking rights of members of an ACP country's delegation other than the head of delegation.

IN THE CHAIR: Angelo BEDA

*Co-President*

## 6. Other business

Mr Beda congratulated Mr Dawaleh (Djibouti) on his appointment as ACP Vice-President responsible for finance and thanked his ACP colleagues for conferring on him the Co-Presidency pending Mr Houngbedji's return.

## 7. Date and place of next session

It was planned to hold the next session in Rome (Italy).

Mr Bounkoulou (Congo) thanked the Assembly for meeting in his country and apologised for the problems that had arisen. Mrs Kinnock and Mr Beda thanked the Congolese authorities, the co-secretariats, the interpreters, the Commission and the Council.

*(The sitting closed at 12.45 p.m.)*

Angelo BEDA and Glenys KINNOCK  
*Co-Presidents*

Jean-Robert GOULONGANA and Dietmar NICKEL  
*Co-Secretaries-General*

## ANNEX I

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

## ACP representatives

HOUNGBEDJI (BENIN), Co-President  
 CONGO, VP  
 COOK ISLANDS, VP  
 DJIBOUTI, VP  
 GABON, VP  
 HAITI, VP  
 MOZAMBIQUE, VP  
 NAMIBIA, VP  
 NIGERIA, VP  
 SAINT LUCIA, VP  
 SAMOA, VP  
 SENEGAL, VP  
 SUDAN, VP

ANGOLA  
 ANTIGUA AND BARBUDA  
 BAHAMAS  
 BARBADOS  
 BELIZE  
 BOTSWANA  
 BURKINA FASO  
 BURUNDI  
 CAMEROON  
 CAPE VERDE  
 CENTRAL AFRICAN REPUBLIC  
 CHAD  
 COMOROS  
 CONGO (DEMOCRATIC REPUBLIC OF)  
 CÔTE-D'IVOIRE  
 DOMINICA  
 DOMINICAN REPUBLIC  
 EQUATORIAL GUINEA  
 ERITREA  
 ETHIOPIA  
 FIJI  
 GAMBIA  
 GHANA  
 GRENADA  
 GUINEA  
 GUINEA-BISSAU  
 GUYANA  
 JAMAICA  
 KENYA  
 KIRIBATI  
 LESOTHO  
 LIBERIA  
 MADAGASCAR  
 MALAWI  
 MALI  
 MARSHALL ISLANDS (REPUBLIC OF)  
 MAURITANIA  
 MAURITIUS  
 MICRONESIA (FEDERATED STATES OF)  
 NAURU (REPUBLIC OF)  
 NIGER  
 NIUE  
 PALAU  
 PAPUA NEW GUINEA  
 RWANDA  
 SAINT KITTS AND NEVIS  
 SAINT VINCENT AND THE GRENADINES

## EP representatives

KINNOCK, Co-President  
 CORNILLET, VP  
 JUNKER, VP  
 SCHWAIGER, VP  
 MARTÍNEZ MARTÍNEZ, VP  
 FERRER, VP  
 CARLOTTI, VP  
 CORRIE, VP  
 BUSK, VP  
 BRIENZA, VP  
 ROD, VP  
 THEORIN, VP  
 SYLLA, VP

ANDREWS  
 AVEROFF  
 AYUSO GONZÁLEZ  
 BALFE  
 BEREND  
 van den BERG  
 van den BOS  
 BOWIS  
 BULLMANN  
 CALLANAN  
 COÛTEAUX  
 CUNHA  
 DÉ SIR  
 DYBKJÆR  
 FAVA  
 FERNÁNDEZ MARTÍN  
 FLESCH  
 FOSTER  
 FRUTEAU  
 GEMELLI  
 GHILARDOTTI  
 GLASE  
 GOEBBELS  
 HAUG  
 HOWITT  
 ISLER BEGUIN  
 KARAMANOU  
 KEPPELHOFF-WIECHERT  
 KHANBHAI  
 LANNOYE  
 LUCAS  
 LULLING  
 McCARTHY  
 MAES  
 MAIJ-WEGGEN  
 MANDERS  
 MENDILUCE PEREIRO  
 MENÉNDEZ del VALLE  
 MIRANDA  
 MORILLON  
 MUSOTTO  
 PANNELLA  
 RACK  
 RIBEIRO E CASTRO  
 ROD  
 SANDBÆK  
 SANDERS-TEN HOLTE



SÃO TOMÉ ET PRÍNCIPE  
SEYCHELLES  
SIERRA LEONE  
SOLOMON ISLANDS  
SOMALIA  
SOUTH AFRICA  
SURINAME  
SWAZILAND  
TANZANIA  
TOGO  
TONGA  
TRINIDAD AND TOBAGO  
TUVALU  
UGANDA  
VANUATU  
ZAMBIA  
ZIMBABWE

SAUQUILLO PÉREZ DEL ARCO  
SCHEELE  
SCHNELLHARDT  
SCHÖRLING  
SJÖSTEDT  
SOUCHEM  
SPERONI  
SUDRE  
TORRES MARQUES  
VAIRINHOS  
VALENCIANO  
VAN HECKE  
VIDAL-QUADRAS ROCA  
VINCI  
WIELAND  
WIJKMAN  
WURTZ  
ZIMMERLING

#### COMMITTEE ON POLITICAL AFFAIRS

##### ACP representatives

ANGOLA  
BAHAMAS  
BENIN  
BURUNDI  
CENTRAL AFRICAN REPUBLIC  
COOK (ISLANDS)  
DJIBOUTI  
DOMINICAN REPUBLIC  
DOMINIQUE  
EQUATORIAL GUINEA  
FIJI  
GUINEA  
HAITI  
LIBERIA  
MAURITANIA  
NAMIBIA  
NIGERIA  
NIUE  
PAPUA NEW GUINEA  
SAINT LUCIA  
SUDAN  
TOGO  
TRINIDAD AND TOBAGO  
TUVALU  
UGANDA  
ZIMBABWE

##### EP representatives

BRIENZA  
CALLANAN  
CARLOTTI  
DYBKJÆR  
FAVA  
FERNÁNDEZ MARTÍN  
GEMELLI  
JUNKER  
KARAMANOU  
MAES  
MAIJ-WEGGEN  
MARTÍNEZ MARTÍNEZ  
MORILLON  
MUSOTTO  
RACK  
RIBEIRO E CASTRO  
ROD  
SAUQUILLO PÉREZ DEL ARCO  
SYLLA  
THEORIN  
VAN DEN BERG  
VAN DEN BOS  
VAN HECKE  
VIDAL-QUADRAS ROCA  
VINCI  
WIELAND

#### COMMITTEE ON ECONOMIC DEVELOPMENT, FINANCE AND TRADE

##### ACP representatives

BARBADOS  
BOTSWANA  
CAMEROON  
CONGO (DEMOCRATIC REPUBLIC OF THE)  
CONGO (REPUBLIC OF THE)  
CÔTE D'IVOIRE  
ERITREA  
ETHIOPIA  
GABON  
GHANA  
JAMAICA  
KENYA  
MALI

##### EP representatives

AVEROFF  
BULLMANN  
CORNILLET  
CORRIE  
COÛTEAUX  
CUNHA  
DÉSIR  
FLESCHE  
FOSTER  
FRUTEAU  
GHILARDOTTI  
GOEBBELS  
HOWITT

MAURITIUS  
MICRONESIA (FEDERAL STATES OF)  
PALAU  
SAMOA  
SENEGAL  
SIERRA LEONE  
SOUTH AFRICA  
ST VINCENT AND THE GRENADINES  
SURINAME  
SWAZILAND  
TANZANIA  
TONGA  
ZAMBIA

KHANBHAI  
KINNOCK  
LANNOYE  
LUCAS  
LULLING  
MANDERS  
MIRANDA  
SANDBÆK  
SCHWAIGER  
SOUCHET  
SUDRE  
TORRES MARQUES  
ZIMMERLING

#### COMMITTEE ON SOCIAL AFFAIRS AND THE ENVIRONMENT

##### ACP representatives

ANTIGUA AND BARBUDA  
BELIZE  
BURKINA FASO  
CAPE VERDE  
CHAD  
COMOROS  
GAMBIA  
GRENADA  
GUINEA BISSAU  
GUYANA  
KIRIBATI  
LESOTHO  
MADAGASCAR  
MALAWI  
MARSHALL ISLANDS (Republic of)  
MOZAMBIQUE  
NAURU  
NIGER  
RWANDA  
SAINT KITTS AND NEVIS  
SÃO TOME ET PRINCIPE  
SEYCHELLES  
SOLOMON ISLANDS  
SOMALIA  
VANUATU

##### EP representatives

ANDREWS  
AYUSO GONZÁLEZ  
BALFE  
BEREND  
BOWIS  
BUSK  
FERRER  
GLASE  
HAUG  
ISLER BEGUIN  
KEPPELHOFF-WIECHERT  
McCARTHY  
MENDILUCE PEREIRO  
MENENDEZ DEL VALLE  
PANNELLA  
SANDERS-TEN HOLTE  
SCHEELE  
SCHNELLHARDT  
SCHÖRLING  
SJÖSTEDT  
SPERONI  
VAIRINHOS  
VALENCIANO MARTINEZ-OROZCO  
WIJKMAN  
WURTZ

## ANNEX II

## RECORD OF ATTENDANCE AT THE SESSION FROM 31 MARCH TO 3 APRIL 2003 IN BRAZZAVILLE

BEDA (Sudan) acting Co-President	KINNOCK, Co-President
DE SOUSA (Angola)	BEBEAR (for BALFE)
NGUEMA OWONO (Equatorial Guinea)	BERENGUER FUSTER (for MENENDEZ DEL VALLE) <sup>(1)</sup>
OLANGO (Ethiopia)	van den BERG
HINVI (Benin) (*)	BUSK, VP
MASALILA (Botswana)	CALLANAN
YE (Burkina Faso)	CARLOTTI, VP
NAHIMANA (Burundi)	CORNILLET, VP
McCLAY (Cook (Islands)) (*)	CORRIE, VP
AMON AGO (Côte-d'Ivoire)	FAVA
M. DAWALEH (Djibouti)	GARCIA MARGALLO, (for BOWIS) <sup>(2)</sup> <sup>(3)</sup>
THOMAS (Dominica)	GEMELLI
WELDEGIORGIS (Eritrea)	JUNKER, VP
NABUKA (Fiji)	KHANBHAI
OBLANG NDONG (Gabon)	KNOLLE (for FERRER)
OSEI-PREMPEH (Ghana)	MAES
BARRY (Guinea)	MAIJ-WEGGEN <sup>(1)</sup>
RAMOTAR (Guyana)	MARTINEZ MARTINEZ, VP
PRINCE (Haiti)	MIRANDA
HAY WEBSTER (Jamaica)	MORILLON
NSEKE (Cameroon)	POMES RUIZ (for LULLING) <sup>(2)</sup> <sup>(3)</sup>
KAMOTHO (Kenya)	ROD
BOUNKOULOU (Congo)	SAUQUILLO PEREZ DEL ARCO
KINKELA (Congo, (Democratic Republic of the))	SCARBONCHI (for WURTZ)
METSING (Lesotho)	SCHEELE
WILLIAMS (Liberia)	SCHÖRLING
BETKOU (Madagascar)	SPERONI <sup>(1)</sup>
MAKAWANGWALA (Malawi)	SYLLA, VP
MOUNTAGA TALL (Mali)	THEORIN, VP
SITHOLE (Mozambique)	VAN HECKE
GUELAYE (Mauritania)	
GUNNESS (Mauritius)	
DNYANDO (Namibia)	
AROUNA (Niger)	
OTHMAN (Nigeria) (*)	
TAUFITU (Niue)	
MARO (Papua New Guinea) (*)	
POLISI (Rwanda)	
MATONGO (Zambia)	
FAYE (Senegal)	
FAURE (Seychelles)	
FOFANA (Sierra Leone)	
MANGWANA (Zimbabwe)	
JEAN (Saint Lucia) (*)	
STRAKER (Saint Vincent and the Grenadines)	
DAVIES (South Africa)	
BADRI (Sudan)	
SARDJOE (Suriname)	
NDZIMANDZE (Swaziland)	
MPOROGOMYI (Tanzania)	
NATCHABA (Togo)	
KIRASO (Uganda)	

**Observers:**

Cuba: BARREDO, CASTRO

<sup>(1)</sup> Present on 31.3.2003.<sup>(2)</sup> Present on 2.4.2003.<sup>(3)</sup> Present on 3.4.2003.

(\*) Country represented by a non-parliamentarian.

**Also present:****ANGOLA**

ASSUNÇÃO DO ROSARIO  
BARRADAS  
SAMY  
MUACHICUNGO  
CADETE

**EQUATORIAL GUINEA**

NKA OBIANG  
MOKONG ONGUENE

**BOTSWANA**

MOLOSI  
SINOMBI

**BURKINA FASO**

HIEH  
TAPSOBA  
KERE

**BURUNDI**

KABURA  
NDORICIMPA  
NYABENDA  
NIYUHIRE

**CONGO, DEMOCRATIC REPUBLIC OF THE**

MULAGE  
SELEMANI

**CÔTE-D'IVOIRE**

MOLLE MOLLE  
DIOMANDE  
BLEU VOVA

**ERITREA**

KASSA TEKLE

**ETHIOPIA**

ABERA  
BIRASSA  
AIKA  
BARUD  
BRIYE

**GABON**

MAKONGO  
OTSAGAMBARI  
POSSO  
MOUKALA

**GHANA**

AWIAGA  
KOBINA WUDU

**GUINEA**

BARRY  
KEITA  
ARIBOT

**HAITI**

CLONES  
DÉSIR  
BELL  
GILVERT  
AXENE

**CAMEROON**

NGOUNGOURÉ

**KENYA**

LESRIMA

**CONGO**

OPIMBAT  
LEKOBA  
BISSILA  
OBIA  
DIMI  
TSHIKA  
MUDOY

**LESOTHO**

MATLANYANE  
MOKETE

**LIBERIA**

TOWNSEND  
GARLAWOLU

**MALAWI**

KHANYIZIRA

**MALI**

AMBARKAUANE  
NIANGADOU  
SARAU  
KEITA

**MAURITANIA**

OULD BELLAL

**MAURITIUS**

KOODORUTH

**MOZAMBIQUE**

ALONI  
DUMA BANZE  
O DA SILVA  
USSENE  
BANZE

**NAMIBIA**

CHATA  
NGAVIRUE  
PHILLEMONT  
KEEJA

**NIGER**

ABDOURHAMANE  
BOUREIMA  
BALARABE  
ISSOUFOU

**NIGERIA**

BOSAH  
ROTIMI-AMOS  
DUCHI

**NIUE**

McCLAY

**RWANDA**

GATERA  
MUREKATETE  
HABIMANA

**SUDAN**

RAOUF

**SURINAME**

KRUISLAND  
TILAKDHARIE  
BLEAU

**SOUTH AFRICA**

TSHEOLE  
SONO  
PELLE  
POTELWA

**SWAZILAND**

S. DLAMINI  
ZEEMAN

**TOGO**

KLUTSE  
ATI-ATCHA  
MUMBAMBI-ILOUDJE  
OHARA KORGA

**UGANDA**

KAMUNTU  
SSEBAGALA  
KAGORO

**ZAMBIA**

SINGINE  
CHINYAMA  
SEFUKE  
LUWITA

**ZIMBABWE**

MZILA-NDLOW  
KURUNERI  
RUKOBO  
PUNUNGWE  
NYAKOTYO

**ACP-EU COUNCIL OF MINISTERS**

LOVERDOS, President-in-Office of the EU Council

**EUROPEAN COMMISSION**

NIELSON, Commissioner responsible for development and humanitarian aid

**ECONOMIC AND SOCIAL PARTNERS**

WELLS (External Relations Division)

SHARMA (Chairman of the ACP-EU Follow-Up Committee)

PEZZINI, ANTHONY (Members of the ACP-EU Follow-Up Committee)

**AU (African Union)**

TOKO Executive Secretary

**ACP SECRETARIAT**

GOULONGANA Co-Secretary-General

**EU SECRETARIAT**

NICKEL Co-Secretary-General

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## ANNEX III

**RESOLUTIONS ADOPTED AND DECLARATION**

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**RESOLUTION <sup>(1)</sup>****on the International Criminal Court (ICC)**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
  - having regard to the European Parliament's previous resolutions on the ICC (19 November 1998, 18 January 2001 and 28 February, 26 September and 24 October 2002) and on the draft American Service members' Protection Act (ASPA) (4 July 2002),
  - having regard to the Rome Statute of the ICC, and in particular Articles 16, 86 and 98 thereof,
  - having regard to the declaration of 1 July 2002 on the ICC by the EU Council Presidency on behalf of the EU, and to the Council's conclusions on the ICC and its guiding principles adopted on 30 September 2002,
  - having regard to the first assembly of the States Parties to the ICC, held on 9 September 2002,
  - having regard to the swearing-in of the 18 ICC judges on 11 March 2003,
- A. whereas the Rome Statute makes a decisive contribution to the implementation of international law and justice and is a valuable instrument to combat impunity for the most serious international crimes,
- B. whereas the current world-wide political pressure being exerted by the Government of the USA to persuade States Parties and Signatory States of the Rome Statute, as well as non-signatory states, to enter into bilateral immunity agreements which seek, through misuse of Article 98, to prevent US government officials, employees, military personnel or nationals from being surrendered to the ICC, should not succeed with any country, in particular with the EU or ACP Member States,
- C. whereas the ICC entered into force on 1 July 2002 with the ratification of the Rome Statute by 60 States Parties, out of 124 Signatory States,
1. Is deeply committed to preserving the full integrity of the Rome Statute and the effective functioning of the International Criminal Court;
  2. Stresses that no immunity agreement should ever afford the possibility of impunity for any individual accused of war crimes, crimes against humanity or genocide;
  3. Regrets the EU Council's conclusion which envisages the possibility for countries to enter into such agreements with the USA, even if subject to certain conditions;
  4. Recognises that the agreements proposed by the USA are contrary to the Rome Statute and to the Treaty commitments of the EU Member States;
  5. Urges the EU Council to make all efforts to start a frank dialogue with the US Government and Congress in order to stop the pressure and the threat of sanctions on the countries which have ratified the Rome Statute and to engage the US administration in a cooperative attitude with the ICC;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

6. Firmly believes that the ICC States Parties and Signatory States are obliged under international law not to defeat the object and purpose of the Rome Statute, under which, according to its Preamble, 'the most serious crimes of concern to the international community as a whole must not go unpunished' and that States Parties are obliged to cooperate fully with the Court, in accordance with Article 86 of the Rome Statute, thus preventing them from entering into immunity agreements which remove certain citizens from the States' or the ICC's jurisdictions, undermining the full effectiveness of the ICC and jeopardising its role as a complementary jurisdiction to State jurisdictions and a building block in collective global security;
  7. Stresses that the Rome Statute was ratified by all EU Member States and by many ACP countries and is an essential component of the democratic model and values the international community should share;
  8. Expects the EU and ACP governments and parliaments to refrain from adopting any agreement which undermines the effective implementation of the Rome Statute; considers therefore that ratifying such an agreement is incompatible with membership of or association with the EU or the ACP-EU Joint Parliamentary Assembly;
  9. Encourages the parliaments of those governments that have signed agreements with the United States under Article 98 of the Rome Statute not to ratify these agreements;
  10. Invites all Signatory States to ratify the Statute;
  11. Invites the EU and ACP to commit fully to the ICC and to enable it to succeed in preserving its independence, impartiality and integrity;
  12. Invites the governments and national parliaments of countries associated with the EU or the ACP under various agreements to sign and ratify the ICC Treaty immediately;
  13. Urges ACP countries and EU Member States, candidate countries and all other countries associated with the EU under various agreements to undertake an analysis of the legal implications of UN Security Council Resolution 1422, and calls for strong action against the renewal of the resolution in July 2003;
  14. Reminds Member States of their obligations regarding the prohibition of the death penalty, and calls for an in-depth analysis of the legal implications of Article 98 in this area; asks ACP countries to proceed in the same way;
  15. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the European Commission.
-



**RESOLUTION <sup>(1)</sup>****on the New Partnership for Africa's Development (NEPAD)**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
  - having regard to the New Partnership for Africa's Development (NEPAD) agreed in Abuja in October 2001,
  - having regard to the African Civil Society declaration on NEPAD of July 2002,
  - having regard to the Declaration of Development Challenges adopted in Accra at a joint conference organised by the Council for Development and Social Science Research in Africa and Third World Network-Africa (April 2002),
  - having regard to the African Social Forum declaration of January 2002,
- A. welcoming the principle that the governments of Africa are defining their own development paths,
- B. recalling Africa's previous development strategy efforts — such as the Lagos Plan of Action (1980), the Abuja Treaty (1991), the African Alternative Framework to Structural Adjustment Programmes (1989) and the African Charter for Popular Participation in Development (1990) — towards addressing the continent's development challenges,
- C. whereas NEPAD is centred around initiatives relating to: peace, security and political governance; economic governance; subregional and regional approaches to development; measures to bridge the infrastructural gap; the effective utilisation of human resources and questions relating to natural, environmental and cultural resources as well as science, technology and, finally, capital,
- D. whereas NEPAD is an initiative developed by Africans for Africa, with an overall vision for the continent's development to bring it into a new age of peace, security, stability, economic growth and prosperity, acknowledging that Africa bears the primary responsibility for its own development,
- E. whereas NEPAD is criticised by various African civil society actors and intellectuals,
- F. whereas Africa's underlying problem is debt, which should be seen in the wider context of a growing global debt affecting both rich and poor nations; whereas the NEPAD initiative is not working well enough, with many African countries still facing unsustainable debt,
- G. whereas, in order to realise these objectives, African leaders will have to jointly take on a number of responsibilities, in accordance with the NEPAD action programme adopted in Abuja in October 2001, and in particular:
- i) to consolidate the mechanisms of conflict prevention, management and resolution at the regional and continental level, and to promote the use of these mechanisms in order to restore and maintain peace,
  - ii) to promote and respect democracy and human rights in their own countries and regions by establishing clear norms of responsibility, transparency, good governance and direct democracy at the local and national level,
- H. whereas the removal of a number of structural constraints affecting the agricultural sector must not entail the dumping of subsidised products on the African market,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April in Brazzaville (Republic of the Congo).

- I. whereas civil society actors, organised business sectors and national parliaments were not duly consulted during the formulation and definition of Africa's development strategy,
  - J. whereas the importance of civil society participation in the design, implementation and evaluation of development strategies and programmes is recognised in the Cotonou ACP-EU Partnership Agreement,
  - K. whereas the NEPAD Forum of African Parliamentarians held in Cotonou on 8 and 9 November 2002, in accordance with resolution ACP-EU 3395/02 adopted by the Joint Parliamentary Assembly at its 4th session in Cape Town, provides information for Members and is responsible for discussion and concertation regarding current efforts to achieve NEPAD objectives,
1. Strongly believes that the international community needs to commit to concrete actions that will support lasting peace and development in Africa and that steps must be taken immediately to tackle conflict through concerted diplomatic action;
  2. Notes that critics of NEPAD question the soundness of economic policy, the development vision and the means to achieve its objectives;
  3. Calls on the European Union to support efforts by the Joint Parliamentary Assembly in general, and African parliamentarians in particular, to ensure democratic control of NEPAD programmes;
  4. Calls on NEPAD and African Union bodies to take the necessary measures to avoid any duplication regarding use of resources in implementing NEPAD and African Union objectives;
  5. Believes that NEPAD's legitimacy should be based on it being approved by the African people, and calls therefore for an open and democratic debate on NEPAD's development strategy, including citizens' democratic rights to participate in decision-making;
  6. Supports in this respect the various African civil society requests to reformulate NEPAD so that it addresses the population's basic needs;
  7. Supports the African civil society organisations' call for a sustainable, just and viable development strategy which paves the way for the achievement of the right to food, health, education, gender balance, housing and other needs for all the people of Africa;
  8. Attaches the highest importance to the implementation and democratic parliamentary control of the African peer review (APR) mechanism as a means of realising the fundamental principles and objectives of NEPAD by providing a framework for monitoring and fostering better policies, standards, and practices; urges African countries' parliaments to guarantee that the peer review process is conducted in a democratic way;
  9. Also urges countries to act on the results of the peer reviews, which are envisioned to start in early 2003, with resources to come predominantly from Africa;
  10. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the President of the African Union and the NEPAD Secretariat.
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**RESOLUTION <sup>(1)</sup>****on the Johannesburg Summit**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
  - having regard to the outcome of the World Summit on Sustainable Development (WSSD) in Johannesburg from 26 August to 4 September 2002 and, in particular, the Plan of Implementation adopted,
  - having regard to the provisions of the Cotonou Agreement concerning the development of partner countries in general and of the least developed, land-locked and island states in particular,
- A. whereas the outcome of the Johannesburg Summit, while relatively limited in scope, must now be carefully monitored and implemented; whereas new and more far-reaching agreements must be sought in other fora,
- B. whereas the WSSD was meant to give fresh impetus at world level to tackling sustainable development challenges facing both developed and developing countries, notably by reaffirming old objectives and establishing new ones, setting new targets and timetables, promoting new partnership arrangements and establishing appropriate monitoring and implementation mechanisms,
- C. whereas the biggest obstacle to developing a common approach to sustainable development for the European Union and developing nations was the issue of agricultural subsidies, perceived by many G-77 countries as a threat to the growth of their agricultural industry,
- D. whereas the 1992 Rio Earth Summit set ambitious new objectives for sustainable development and created a new international legal framework in fields such as climate change and biodiversity,
- E. whereas the Rio objectives have been inadequately implemented and developing countries' problems have become more serious over the last ten years, with crippling external debt, and continuing unfair terms of trade, which continue not only to be obstacles to the implementation of sustainable development but also contribute to the impoverishment of the majority of the population in the developing countries,
- F. whereas collective responsibility is needed in order to strengthen the interdependent and mutually reinforcing pillars of sustainable development — economic growth, social inclusion and environmental protection — at local, national, regional and global levels,
- G. whereas there should be greater parliamentary input into such negotiations in future, and whereas new agreements should be subject to greater parliamentary accountability,
1. Notes that the WSSD concluded with the adoption of a Johannesburg Declaration on Sustainable Development, together with an accompanying Plan of Implementation, and that, in addition, a large number of partnership agreements were also announced;
2. Welcomes the broad principles set down in the Johannesburg Declaration but considers that the WSSD outcome needs to be judged, in particular, by the content of the accompanying Plan of Implementation; undertakes to contribute to putting into practice the plan for implementation of the results of the Johannesburg Summit, in particular item VIII entitled 'Sustainable development for Africa' and item VIIIa entitled 'Other regional initiatives' regarding the Caribbean and the Pacific;
3. Is of the opinion that, in less-developed countries in particular, there will be no sustainable development without economic development and social cohesion; underlines therefore in this context that the fight against poverty, a change in consumption and production patterns, and the protection and management of natural resources are mutually reinforcing sustainable development objectives which require balanced implementation so as to achieve global prosperity, security and stability;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April in Brazzaville (Republic of the Congo).

4. Calls on the European Commission to reform its agricultural, fisheries and trade policies in the light of the Johannesburg Summit and believes that the EU must agree on a phase-out of agricultural export subsidies; rejects the undermining of local food production and the impoverishment of farmers in developing countries;
  5. Regrets that no real efforts were made to agree on a plan to assist developing countries in their efforts to support technology leapfrogging, notably in relation to energy production, transportation, agriculture, waste management and chemicals, which would make it possible to bypass the more pollutant phases of the modernisation process;
  6. Regrets that the Kyoto Protocol had not yet been ratified by enough States to come into force in time for the WSSD, but welcomes the Conference's reaffirmation of the importance of the Protocol;
  7. Expresses its particular disappointment at the lack of any specific targets for renewable energy, along the lines of either those proposed by the EU or the even more ambitious target mooted by Brazil;
  8. Expresses its concerns that, although the challenges facing the world have been described, the necessary determination to achieve common action does not include express recognition of the contribution of science and technology to sustainable development and, more particularly, does not promote better understanding of the relationship between the environment and technological development;
  9. Regrets the insufficiently strong commitment to tackle the loss of world biodiversity and the weak formula that was agreed, namely the 'achievement by 2010 of a significant reduction in the current rate of loss'; regrets that no further statement was made regarding the need to curb habitat destruction and the loss of biodiversity;
  10. Supports in particular the effort to provide world-wide assistance to increase employment opportunities, taking into account the ILO Declaration on Fundamental Principles and Rights at Work;
  11. Insists on the need to ensure corporate responsibility of transnational corporations in the field of environment and social rights;
  12. Emphasises that sustainable development requires broad-based and democratic participation in policy formulation, decision-making, implementation and monitoring at all levels involving all major groups, especially social partners;
  13. Calls on the EU Member States and ACP countries to take the necessary measures to meet undertakings made within the Monterrey consensus and at the Johannesburg Summit;
  14. Calls urgently for a reform of international bodies dealing with sustainable development issues, starting with the UN Commission for Sustainable Development and the United Nations Environment Programme (UNEP), as well as the World Trade Organisation (WTO) and the 'Bretton Woods' institutions, the general perspective being to achieve a multilateral and internationally binding system of good governance with a view to achieving sustainable development objectives and policies;
  15. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the Secretary-General of the United Nations and the African Union.
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**RESOLUTION <sup>(1)</sup>****on the follow-up to the Johannesburg Summit**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
  - having regard to the strategic health objectives approved at the 1995 UN Beijing Conference on Women and Beijing+5, as well as to those approved at the UN International Conference on Population and Development (ICPD) held in Cairo in 1994 and ICPD+5,
  - having regard to Articles 25(c) and (d) and 31(b)(iii) of the ACP-EU Partnership Agreement signed in Cotonou in June 2000,
- A. whereas the WSSD Plan of Implementation explicitly makes the connection between the eradication of poverty, environmental protection and health, with particular emphasis on women and children,
  - B. whereas the chapter on health (Chapter VI) calls for action to strengthen countries' capacities to deliver basic services for all and to promote health, including reproductive and sexual health, with a view to reducing maternal, infant and child mortality; whereas it calls for equal access for women to health-care services, giving particular attention to maternal and obstetric care,
  - C. whereas, in Johannesburg, women's rights to safe motherhood, including contraception, reproductive health services and safe abortion were saved during the final hour of intense negotiations, despite opposition from the US, the Vatican and some Islamic nations,
  - D. whereas the Plan of Implementation is consistent with national laws and cultural or religious values, with assurances of basic human rights for all; whereas the reference to human rights was fiercely opposed by the aforementioned delegations,
  - E. whereas the plan reaffirms the targets for reversing the AIDS pandemic set at last year's General Assembly special session, in particular a 25 % reduction of HIV prevalence in young men and women aged 15-24 in the most affected countries by 2005, and globally by 2010; whereas half of all new HIV infections in the world affect young people aged between 15 and 24,
  - F. whereas it urges implementation of national prevention and treatment strategies and increased international cooperation against AIDS, and calls on countries to meet agreed commitments to support the Global Fund to Fight AIDS, Tuberculosis and Malaria, while promoting access to the Fund by the neediest countries,
1. Welcomes the world's leaders' reaffirmation of goals linking sustainable development, poverty eradication and environmental protection to women's sexual and reproductive health and women's rights;
  2. Welcomes the Plan of Implementation as a reaffirmation of international consensus agreements, notably the ICPD's endorsement of the right to reproductive and sexual health, encompassing access to family planning information and services, safe motherhood, prevention of sexually transmitted infections including HIV/AIDS, and elimination of sexual coercion and violence; emphasises that high quality reproductive health services must be easily accessible and affordable to all women and men throughout the reproductive health life cycle;
  3. Calls on the EU and ACP governments to honour their undertakings as regards ICPD, ICPD+5, Beijing, Beijing+5 and the Millennium Development Goals and to demonstrate their commitment to the goals that have been agreed, despite the negative global climate surrounding sexual and reproductive health and individual rights in this connection, led by US Administration policies;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April in Brazzaville (Republic of the Congo).

4. Calls on the EU and ACP governments to meet their agreed commitments to funding the Global Fund to Fight AIDS, Tuberculosis and Malaria;
5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission and the Secretary-General of the United Nations.

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

**on research and sustainable development**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
  - having regard to the outcome of the September 2002 World Summit on Sustainable Development in Johannesburg (South Africa),
  - having regard to the ACP Ministerial Forum and the ACP-EU Technical Meeting on Research for Sustainable Development, held in Cape Town (South Africa) on 28 July 2002 and 29-30 July 2002 respectively,
- A. whereas the poverty which plagues most ACP States is not just about the relative lack of material resources but is also due to inadequate and poor access to economic, technical and socio-political knowledge, thereby impeding sustainable development,
  - B. whereas cooperation with development partners, as well as intra-ACP cooperation, has made a positive contribution to the advances made in ACP States,
  - C. having regard to the people-centred approach promoted in the ACP Vision for Sustainable Development,
  - D. aware that increased appropriation of knowledge is a key element in re-establishing a fair balance in the global market economy,
  - E. having regard to the European Commission's communication 'Towards a Global Partnership for Sustainable Development' (COM(2002) 82 fin), which emphasises the need for global partnerships,
  - F. aware that the widening gap between poor and rich countries is partly due to the inequalities in the way knowledge is produced and used,
  - G. noting the international cooperation component of the EC's Sixth Framework Programme for Research (FP6), which relates specifically to problems of third (including developing) countries,
  - H. acknowledging the commitment made by the ACP countries through their Cape Town Declaration on Research for Sustainable Development of 28 July 2002,
  - I. mindful of the critical importance of new technologies such as information and communication technologies (ICTs) for increasing productivity and contributing to the Millennium Development Goals,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

1. Stresses the need for ACP countries, through their partnership with the EU, to turn their commitments as indicated in the Country Strategy Papers into progress guided by concerted political will, financial support and genuine development partnerships that link knowledge to innovation systems and skills development;
  2. Calls on ACP countries to ensure that the results of sound research are transformed into effective development policies by adopting long-term integrative perspectives of the development process;
  3. Calls on the EU to support the efforts of ACP countries in embracing new technologies through research collaboration and capacity-building as a means of exploiting the economic and social opportunities in the global market;
  4. Urges ACP countries to implement the provisions of JPA Resolution ACP-EU 3228/A/01 on means of access to global communication for ACP countries adopted in Brussels on 1 November 2001, and urges the EU to provide the necessary support;
  5. Calls on the European Commission to encourage institutions in ACP countries to participate in the new instruments of FP6, particularly the networks of excellence and the integrated projects, and to take advantage of the increased opportunities for the mobility and training of scientists;
  6. Calls for increased research partnerships between the EU Member States and ACP partners in understanding the processes of environmental change and developing sustainable management of natural resources, particularly water resources, agricultural production, energy and transport;
  7. Calls on the EU Member States to facilitate the attainment of the targets set out by ACP countries in their Cape Town Declaration on Research for Sustainable Development of 28 July 2002, through the cooperation programmes;
  8. Stresses the need for research collaboration between ACP countries and EU Member States to reinforce continuity of research efforts targeting universal access to quality health care in ACP countries;
  9. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the European Commission.
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**RESOLUTION <sup>(1)</sup>****on the World Trade Organisation Doha Round negotiations**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
- A. whereas the multilateral and multisectoral trade negotiations mandated by the fourth World Trade Organisation (WTO) Ministerial Conference held in Doha in November 2001 are under way,
- B. whereas the WTO negotiations and those provided for under the Cotonou Agreement will be complementary and have a considerable impact on ACP countries,
- C. whereas the Doha Ministerial Declaration acknowledges that 'the majority of WTO members are developing countries' and makes a commitment 'to place their needs and interests at the heart of the Work Programme adopted in [the Doha] Declaration' and to 'make positive efforts [...] to ensure that developing countries, and especially the least-developed among them, secure a share in the growth of world trade commensurate with the needs of their economic development',
- D. whereas the Doha Declaration includes a number of commitments to address specific issues long identified as major obstacles to developing countries securing a fairer share of global trade, including:
- (a) 'negotiations [on agriculture] aimed at: substantial improvements in market access; reductions of, with a view to phasing out, all forms of export subsidies; and substantial reductions in trade-distorting domestic support',
  - (b) negotiations enabling developing countries to purchase at affordable prices or to produce themselves the medicines required to ensure the health of their populations,
  - (c) negotiations on market access for non-agricultural products 'which shall aim, by modalities to be agreed, to reduce or as appropriate eliminate tariffs, including the reduction or elimination of tariff peaks, high tariffs, and tariff escalation, as well as non-tariff barriers, in particular on products of export interest to developing countries',
  - (d) a review of WTO rules to take account of particular needs of developing countries,
  - (e) the establishment of a Working Group on Trade and Debt,
  - (f) the reaffirmation of the principles of special and differential treatment for developing and particularly least-developed countries,
- E. whereas the World Summit on Sustainable Development held in Johannesburg in August/September 2002 reaffirmed the importance of giving real content to such commitments as an essential element of promoting sustainable development,
- F. whereas many of the specific commitments in the Doha Declaration of relevance to developing countries are qualified or couched in ambiguous language, and will have to compete for attention in the Work Programme with other issues,
- G. whereas there is therefore a need to guard against the very real danger that the developmental principles alluded to in the Doha Declaration may become swamped by or subordinated to issues of relevance to powerful forces in rich countries,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).



- H. whereas certain developments since the adoption of the Doha Declaration point to the need for particular vigilance in this regard, including:
- (a) the passage of the US Farm Bill,
  - (b) evident attempts to backslide from Doha commitments in the process of negotiating the WSSD Declaration,
  - (c) a lack of any evident developmental perspective in the leaked draft EU request document for presentation to the Trade in Services negotiations,
1. Believes that it is of the utmost importance to ensure that agreements resulting from the present round of WTO negotiations make a meaningful and significant contribution to addressing imbalances and inequities in the global trading system, and that the developmental concerns of developing countries in general, and least-developed countries in particular, are prioritised in practice in both the conduct and outcome of negotiations;
  2. Supports the European Commission's efforts to reach a compromise in the WTO TRIPS Council on access to affordable medicines for developing countries and deplors the lack of results so far; considers that, in this respect, the possible solution is to be found in Amendment 196 to the European medicine directive;
  3. Stresses that the EU occupies a strategic position in the negotiating process and within the international financial institutions and must therefore ensure that, in parallel with the trade negotiations, the policies of financial institutions are reviewed, structural adjustment plans of various types, coming under different names, are cancelled and the unpayable external debt of developing countries is significantly reduced or cancelled so as to enable these countries to revitalise public investment and production;
  4. Acknowledges that the ACP is one of the most important groupings of developing countries;
  5. Notes the major disparity between the industrialised countries on the one hand and the developing countries on the other regarding their capacity to supply services; therefore calls for the matter to be considered with the greatest care, taking into account the needs of the ACP countries to establish and maintain public services;
  6. Considers that private investment may, together with the necessary public investment, be a driving force behind development but that the countries concerned must retain full sovereignty to administer such investment;
  7. Takes the view that all negotiations must consider the question of monitoring by multinational companies and foreign investors of respect for human rights, the right of minorities, and the environment, and monitoring by the ACP countries of good governance (absence of corruption) on the part of multinational companies;
  8. Considers that foreign debt is for many ACP countries an insurmountable obstacle to their development which is essential for real integration into the world economy; considers that the EU should enter into specific undertakings to reduce and, if possible, cancel bilateral and multilateral ACP debt;
  9. Believes that parliamentary monitoring of both the ongoing negotiating process and the final outcome will be of critical importance in the struggle to ensure that Doha becomes a 'developmental round';
  10. States that the ACP-EU Joint Parliamentary Assembly has a particular character among interparliamentary bodies in that it groups together in regular meetings parliamentarians from the EU and 77 ACP countries, thereby enabling it to play a meaningful ongoing monitoring and supervisory role;
  11. Supports all ongoing efforts to promote parliamentary monitoring of the WTO process, including the initiative by the Inter-Parliamentary Union (IPU) and the European Parliament at the conference in Geneva in February 2003;
  12. Requests the Bureau to ensure that there is enough time in all future sessions of the ACP-EU Joint Parliamentary Assembly to receive and debate reports on the ongoing WTO negotiations;

13. Urges the European Commission to table a written report at each session of the Joint Parliamentary Assembly on the positions being adopted in each of the ongoing sectoral or thematic negotiations, and how it sees the position it is taking contributing to a 'developmental' outcome; asks for these reports, if possible, to be circulated to all delegates before the JPA session;
14. Proposes that the ACP Secretariat and Council be invited to table at each session of the JPA a report or statement on how they view the ongoing WTO processes;
15. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission and the WTO.

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

#### on WTO negotiations on health issues

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
- having regard to the Doha WTO Ministerial Declaration on the TRIPS Agreement and Public Health adopted on 14 November 2001, and in particular paragraph 6 thereof,
- A. whereas the agreement on the Doha Declaration on TRIPS and Public Health was a significant achievement and was seen as a key indicator of the seriousness with which developed countries take the concerns of developing and least developed countries on public health issues, access to essential medicines for all and the need to put people before patents,
- B. whereas the Declaration, in paragraph 4, states that '... the TRIPS agreement does not and should not prevent Members from taking measures to protect public health', and the same paragraph states that: ' the [TRIPS] Agreement can and should be interpreted and implemented in a manner supportive of WTO members' right to protect public health and, in particular, to promote access to medicines for all',
- C. whereas paragraph 5(b) of the Doha Declaration reaffirms the right for countries to grant compulsory licenses and the freedom to determine grounds upon which such licenses are granted and paragraph 5(c) reaffirms that each member has the right to determine what constitutes a national emergency or other circumstances of extreme urgency in which case a fast track procedure can be used,
- D. whereas WTO members which have sufficient domestic manufacturing capacities are not limited in any way on the use of the compulsory license and do not need to refer to the WTO to use their rights under TRIPS, but, as recognised by paragraph 6, members with insufficient or no manufacturing capacities in the pharmaceutical sector could face difficulties in making effective use of compulsory licensing under the TRIPS Agreement since Article 31(f) of the TRIPS agreement limits compulsory licensing predominantly to supplying the domestic market,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

- E. whereas the WTO TRIPS Council was therefore mandated to find an expeditious solution to this problem — in ensuring that production for export to a country that has issued a compulsory license or that has no patent, but does not have manufacturing capacity, can take place from a country that provides pharmaceutical patents — and to report to the General Council before the end of 2002,
- F. whereas this mandate clearly intended that those countries which lack such capacity should not be put at a disadvantage by discriminatory restrictions and that the solution sought should be workable, automatic and economically viable; in this perspective the December 2002 proposal is not satisfactory and does not respect the spirit of the Doha Declaration,
- G. whereas the deadline was not met, primarily due to the insistence by some pharmaceutical companies and by the United States Government that there needed to be further restrictive definitions of public health crises together with a specified list of diseases to which the provisions applied,
- H. whereas the European Commission has now proposed that the advice of the World Health Organisation could be sought in the event of a dispute but that such advice would be non-binding,
1. Strongly regrets the position taken by the United States, motivated by the interest of some pharmaceutical companies, in blocking the adoption by the TRIPS WTO Council of an expeditious solution to the problem of access to medicine for developing countries, before the end of 2002 as agreed in Doha;
  2. Reaffirms that access to health care is part of the Universal Declaration of Human Rights which should be respected;
  3. Asks the European Commission and the EU Member States to assume a strong position in the TRIPS WTO negotiations, in order to ensure that priority is always given to public health and not primarily to commercial considerations, patents and the profits of pharmaceutical companies;
  4. Considers that the language of the Doha Declaration is clear and unambiguous and the question of what does or does not constitute grounds for the issue of compulsory licences does not require further interpretation, either by means of an 'approved list', or any external approval mechanism; and that any allegations of abuse of the provisions of TRIPS should be dealt with through the relevant disputes procedure;
  5. Believes that the ongoing negotiations should not result in discrimination between WTO members with differing capacities to respond to public health problems and asks the European Commission to find an equitable solution to the problem stated in paragraph 6 of the Doha Declaration;
  6. Insists that the European Commission must therefore respect the clarifications provided in the Doha Declaration and reject any position that would result in limitations regarding the scope of diseases or the countries that could make use of an effective solution to the problem defined in paragraph 6;
  7. Believes that the ongoing negotiations in the WTO on a solution to paragraph 6 of the Doha declaration should aim at placing the WTO members without sufficient manufacturing capacities in the same position as the WTO members who do have manufacturing capacities;
  8. Considers that the most effective solution is a limited exception under Article 30 of the TRIPS Agreement whereby WTO members may permit third parties to make, sell, and export patented medicines and other health technologies to address public health needs; considers that this would allow production for export activities to be defined under national law as exceptions to the rights of patent holders;
  9. Calls for Article 31, which defines the compulsory licence system, to be retained;
  10. Insists that neither the countries with insufficient manufacturing capacities nor the countries that will utilise the mechanism to produce for export should be subject to any conditions, notification procedures or any other procedural mechanism more onerous than the ones already provided for under WTO rules;

11. Recognises that the WTO is not the most appropriate body to arbitrate or make rules on questions of public health or access to essential medicines and that, in this regard, the TRIPS Agreement has to be subservient to other values and authorities, as is implicit in the Doha Declaration;
12. Agrees with the European Commission that the World Health Organisation (WHO) could play an important role, but warns that the autonomy and authority of the WHO should not be compromised; in this context encourages the European Commission to consider the WHO's proposal for a solution to paragraph 6 which was presented to the TRIPS Council on 17 September 2002;
13. Considers therefore that the European Commission's proposal to draw up a list of concerned diseases is not exhaustive since, if it were, it would represent a further restriction on developing countries' use of compulsory licensing or Article 30 mechanisms, while developed countries are not subject to any such limitations;
14. Considers that when conflicts arise, as is evident in this case, between intellectual property rights and public policy questions, they should always be resolved first in favour of people and not only patents; underlines, further, that there is a timetable laid down in the TRIPS Agreement for overall review of its workings which has not been met and notes that this process also is stalled in Geneva;
15. Asks the European Commission and the EU Member States to support a broader discussion under the auspices of the WHO on how the TRIPS agreement affects the availability of affordable generic medicines;
16. Asks the European Commission also to investigate alternative strategies to address the issue of the lack of product development for neglected diseases and to support the WHO in including this issue in its agenda;
17. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the WTO, the WHO and the Secretary-General of the United Nations.

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

### on the crisis in the international coffee market

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Congo) from 31 March to 3 April 2003,
- having regard to its previous resolutions and reaffirming those on international trade, development, debt and poverty reduction,
- A. whereas coffee prices have fallen over 50 % over the last three years, the incomes of small farmers in coffee producing ACP States have slumped and large numbers are being affected by famine, while at the same time world markets show an annual surplus of 540 million kg, i.e. almost 8 % compared with consumption figures,
- B. whereas, while small coffee producers are obliged to sell below production costs, international companies such as Nestlé, Kraft, Sara Lee and Procter & Gamble, which purchase around half the world's production, are making billions of dollars from brand coffee sales,
- C. whereas some of these ACP countries are among the ten major coffee producers,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

- D. whereas coffee accounts for almost 60 % of Ethiopia's exports and, with the current market crisis, income has fallen from USD 110 million to USD 58 million in a year during which the country is seeking to make savings through debt-reduction measures,
- E. whereas this situation has partly arisen from the dismantling of the International Coffee Organisation which regulated the coffee market by various means, including a quota system,
- F. whereas the current crisis is the result of the policies being implemented by international bodies (World Bank, IMF, WTO) seeking to encourage developing countries to further liberalise trade and pursue an economic strategy directed towards the external market,
- G. whereas the EU also has a share of responsibility in so far as it is encouraging competition between the poorer countries through its policy of trade liberalisation,
- H. deeply concerned by the crisis facing the coffee market in many of the producing countries in general and the countries of the East African region, Ethiopia, Kenya, Uganda and Burundi, in particular,
- I. observing that there has not been any significant reduction in the price that consumers in the rich countries pay, while on the other hand poor coffee growers in countries like Ethiopia only get about 1 % of the money that the final consumer pays,
- J. whereas, today more than ever, there is a compelling need to establish a practical and urgent partnership with coffee producing and exporting countries of the region so that all international partners can work together to overcome the crisis,
- K. noting that Ethiopia, the birthplace of coffee and one of the largest exporters in Africa, has been hardest hit by the slump, where small-holding organic producer farmers are paid less than USD 0.10 per kg for coffee which is sold in western countries for around USD 26,
- L. deeply concerned by the severe effect that the coffee crisis has on the livelihoods of average coffee growers, most of whom are being forced to uproot the coffee trees and replace them with plants having negative implications on health, the environment and sustainable development, and because of this the world's most popular organic coffee bean (Ethiopian arabica) is under threat of extinction,
- M. deeply concerned by the fact that many ACP coffee producers have lost twice as much revenue from the coffee market as they have received through debt relief, the consequence of these losses are seriously undermining their Governments' efforts to move their countries out of poverty,
- N. deeply concerned by the massive hurdle this crisis is placing in the way of many ACP countries' poverty reduction strategies whose central pillar is agriculture-led development, that includes coffee production,
- O. whereas urgent action is needed from the European Commission to address the collapse of world coffee prices and alleviate the suffering of millions of coffee-producing farmers and the communities depending on the sector,
- P. whereas the guidelines for shortfalls in export earnings issued on the basis of the Cotonou Agreement have shortcomings in addressing such issues,
- Q. whereas the ultimate solution lies in reforming international trade governance in order to make trade work for the poor at all levels,
1. Takes the view that the slump in coffee prices calls for immediate action to assist small producers in Ethiopia, Uganda and Kenya who have been severely affected by the crisis;

2. Considers it inadmissible for small producers to receive on average USD 0.24 per pound of coffee while in affluent countries consumers pay around USD 3.60 per pound;
  3. Calls on the European Commission and ACP countries to propose, in the course of EU-ACP trade negotiations, an ambitious set of trade regulation arrangements seeking to achieve major sustainable development objectives including the eradication of poverty;
  4. Calls for a review of the free trade arrangements currently in force and their replacement with equitable arrangements, taking account of the concerns of the countries of the South so as to avoid any future slump in commodity prices;
  5. Takes the view that international financial institutions, together with the European Union, have a share of responsibility in this crisis having made the provision of aid conditional on trade liberalisation and prompted the countries concerned to follow an external market-oriented economic policy;
  6. Strongly urges the major coffee-roasting companies to pay coffee growers a decent price which is sufficiently above their cost of production and purchase beans that meet the International Coffee Organisation (ICO) quality standards, and to increase the amount of coffee they buy under fair trade conditions;
  7. Calls on the European Commission to provide the necessary financial and material support for the rescue plan for coffee introduced by Oxfam and adopted by the major coffee producing and exporting countries;
  8. Calls on the European Commission to redeploy former STABEX funds or to urgently allocate additional funds to address the crisis faced by the coffee-producing communities and take the necessary measures to enable the countries to benefit, without any condition, from the 'B' envelope of the 9<sup>th</sup> EDF;
  9. Calls on the world's major roaster companies to dedicate sufficient amounts of funds to address the plight of farmers and local communities and collaborate with development organisations, as the huge drop in price and the dislocation of farmers from the sector is not in the long-term interest of the companies and coffee-drinking consumers in the industrialised world;
  10. Calls on all governments of the developed world and international partner organisations to step in and enforce stricter international coffee standards, including protection of quality and organic coffee imports, and devote more financial assistance to help farmers diversify into sustainable alternative crops;
  11. Calls on the European Commission to prepare a communication on commodities before the ICO-World Bank International Conference on Coffee, scheduled to take place in May 2003;
  12. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the European Commission.
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**RESOLUTION <sup>(1)</sup>****on rice**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
- having regard to the trade and sustainable development and poverty alleviation objectives of the ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000,
  - A. recalling the Partnership Agreement's recognition of the importance of commodities to ACP countries and its recognition that the process of liberalisation could lead to a deterioration in the relative competitive position of ACP States, which could threaten their development efforts,
  - B. noting the EU's commitments in the Partnership Agreement to support the integration of ACP economies into the world economy and to promote regional integration,
  - C. emphasising that Declaration XXIV — Joint Declaration on Rice — of the Partnership Agreement recognises the importance of the rice sector for the economic and social development of the ACP rice-exporting countries in terms of employment, foreign exchange and social and political stability,
  - D. recalling the EU's commitments in the Declaration to finance during the preparatory period, in consultation with the ACP sector concerned, an integrated sector-specific programme for the development of ACP exporters of rice through unallocated EDF resources,
  - E. recognising that EU rice consultants have completed the action plans and financial proposal for a support package for the Caribbean rice industry to enhance competitiveness and regional trade integration,
  - F. deeply concerned that the 10 July 2002 proposals by the European Commission to cut intervention prices for rice by 50 % and to grant direct aid and decoupled payments in order to compensate European rice farmers could drastically affect ACP rice exports and could result in economic, political and social instability in ACP rice-producing countries,
  - G. bearing in mind the commitment made by the European Union to preserve the benefits to ACP countries of the ACP-EU trading arrangements during the preparatory period,
  - H. noting that the management of the present rice quota is lacking transparency and the ACP countries do not benefit as expected,
    - 1. Calls on the EU Council to take full account of the adverse effects on the ACP rice industry when considering the European Commission's proposals for changes to the common organisation of the market in rice and to consider remedial and compensatory measures to alleviate the negative impact on ACP rice exporters;
    - 2. Requests the EU Council to approve as a matter of urgency the financing proposal for the support package to enhance the competitiveness of the Caribbean rice industry;
    - 3. Requests the European Commission to make available adequate funding during the second tranche, based on the technical findings of the EU consultants in the action plans;
    - 4. Calls on the European Commission to implement the necessary adjustments to the currently applied management of the quota system as articulated in the memorandum submitted by the ACP in January 2003;

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

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

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

**on sugar**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
  - having regard to the resolution on sugar adopted by the 76<sup>th</sup> session of the ACP Council of Ministers held in Brussels from 9 to 11 December 2002,
  - having regard to the resolution on sugar which it adopted at its fourth session (Cape Town, 18-21 March 2002),
  - having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in the sugar sector, in particular its renewal of the EU sugar regime for a further period of five years,
- A. reaffirming that the ACP Sugar Protocol is an integral part of the EU sugar regime and the Protocol quantities are laid down in the EU's WTO commitments,
  - B. stressing that the parties to the Marrakesh Agreement establishing the World Trade Organisation recognised that their relations in the field of trade and economic endeavour should be conducted with a view to, inter alia, ensuring full employment and sustainable development while seeking to protect and preserve the environment and recognising the need for positive efforts to ensure that developing countries secure a fair share in the growth of international trade,
  - C. welcoming the Doha Development Agenda adopted at the Fourth WTO Ministerial Conference held in Doha, Qatar, in November 2001,
  - D. whereas the ongoing agriculture negotiations in the WTO have to take into account, inter alia, non-trade concerns, special and differential treatment of developing countries, maintenance of preferential arrangements and the specificities of Small Island Developing States,
  - E. stressing that the ACP-EU Partnership Agreement signed in Cotonou in June 2000 is centred on the objective of reducing and eventually eradicating poverty, which is consistent with the objectives of sustainable development and the gradual integration of ACP countries into the world economy,
  - F. noting also that the small and vulnerable ACP sugar-supplying States, which are either least-developed, developing, net-food importing, vulnerable, landlocked or island states and single-commodity producers/exporters with specific economic and social difficulties, continue to depend on predictable and stable earnings from sugar exports, under preferential access arrangements, to the EU for their sustainable socio-economic development,
  - G. recognising that the inherent natural, physical and structural constraints of most ACP sugar-supplying States and their topography do not generally allow for horizontal diversification of agriculture and that these factors adversely affect the competitiveness of the ACP sugar industries,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).



- H. emphasising that the ACP sugar-supplying States have been and still are judiciously using the vital foreign exchange earnings from exports to the EU in their rationalisation and modernisation programmes to improve efficiency, increase productivity and competitiveness, to promote the use of by-products including the production of electricity in an environmentally-friendly manner, as well as to encourage meaningful diversification in other sectors, wherever possible,
- I. recognising the multifunctional role that the sugar industry, as a major employer, plays in ACP supplying States through its contribution to environmental protection, rural development and food security as well as the preservation and protection of the traditional way of life,
- J. noting that Australia and Brazil recently made requests for consultations on certain aspects of the EC sugar regime which they consider to be in breach of the WTO Agreement on Agriculture, the Agreement on Subsidies and Countervailing Measures and the 1994 GATT,
- K. whereas both Australia and Brazil are major multi-commodity exporters which are among the primary beneficiaries of the Uruguay Round liberalisation in agricultural trade, and whereas Brazil, in particular, is the world's largest exporter, with some 13 million tonnes in 2002, of sugar as compared to the mere 1.6 million tonnes which 17 ACP countries supply to the EC market, which has remained stable,
- L. noting with concern that the increasing quantities of sugar exports from Brazil are having a depressing effect on world sugar prices,
- M. whereas it is a source of deep concern that Australia and Brazil have taken actions which could ultimately threaten the livelihood of thousands of poor farmers and workers belonging to the vulnerable group of the populations of the ACP States concerned,
- N. whereas the ongoing WTO negotiations on agriculture offer an appropriate forum where all WTO members could try to find together a balanced and equitable outcome that takes into account the interest of all members,
- O. noting the implementation by the EU since 2001 of the 'Everything But Arms' Initiative (EBA); recalling the support shown by the ACP States for this initiative,
- P. whereas it is necessary to recall the launch on 27 September 2002 of the EPA negotiations and in this context to underline Article 36(4) of the Cotonou Partnership Agreement, which reaffirms the importance of the commodity Protocols, and the need to review them in the context of the new trading arrangements with a view to safeguarding the benefits derived therefrom, bearing in mind the special legal status of the Sugar Protocol,
- Q. whereas it is also necessary to recall the Joint Declaration (Annex XXIII) on market access of the Cotonou Partnership Agreement by which the parties agree to examine all measures in order to maintain the competitive positions of the ACP states on the Community market, and wherein the Council of the European Union underlines its obligation to take into account the effect of any agreement or other measures to be taken by the EC on ACP-EC trade,
1. Calls on the European Union to:
- defend, maintain and honour the legal obligation and political commitment enshrined in the Cotonou Agreement, particularly the Sugar Protocol,
  - reaffirm the provisions of Article 36 (4) of the Cotonou Agreement particularly to ensure the WTO-compatibility of the Sugar Protocol and to safeguard the benefits derived therefrom,
  - ensure that internal EU CAP reforms and the EU's wider trade liberalisation do not adversely impact on the small and vulnerable economies of the ACP sugar-supplying States,

- recognise the significant and vital contribution that predictable and stable earnings derived from sugar exports have made to economic development, poverty alleviation and the promotion and maintenance of social and political stability,
  - acknowledge the multifunctional nature of the sugar industry, particularly its role in environmental protection and rural development in ACP sugar-supplying States as well as in ensuring food security,
  - factor in the above when engaging in the WTO negotiations on agriculture and work with the ACP so that the preferential arrangements remain meaningful and are provided with legal security in an appropriate manner;
2. Calls on the European Commission and the EU Member States to take, in conjunction with the ACP Group of States, all necessary measures to defend the sugar regime and the terms and conditions of ACP preferential access against the challenge of Australia and Brazil;
  3. Calls further upon the European Commission and the EU Member States to honour their commitments under the Sugar Protocol, irrespective of the outcome of the challenge;
  4. Requests the European Commission to consult the ACP sugar-supplying States on the findings of the studies on the mid-term review of the EC sugar regime before proposals are made with a view to ensuring that the impact of any review on the ACP States concerned is taken into account; requests the European Commission in this connection to provide for the necessary mechanism to guarantee at least the same level of earnings to the ACP sugar-supplying States as the EU sugar producers;
  5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Parliament and the European Commission.

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

### on tuna

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
- A. mindful that one of the Cotonou Agreement's principal objectives is to promote and expedite the economic and social development of the ACP States,
  - B. whereas the parties signatory to the Cotonou Agreement have undertaken, in accordance with the provisions of Article 3 of the Agreement, to refrain from any measures liable to jeopardise these objectives,
  - C. noting with concern the current mediation within the WTO regarding a possible reduction in customs duties for canned tuna from Thailand and the Philippines,
  - D. whereas tuna export companies in Thailand and the Philippines are highly competitive,
  - E. aware of the considerable importance of tuna production and trade for the development and economic and social stability of many ACP countries,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

- F. having regard to the development levels of ACP countries and the huge investment which these countries have made in the fisheries sector in general, and the tuna sector in particular,
  - G. having regard to the fisheries agreements concluded between a large number of ACP countries and the European Union,
  - H. whereas Thailand and the Philippines, unlike the ACP countries, form part of one of the regions of the world which attracts the most investment,
  - I. noting the complexity of rules of origin in respect of fishery products,
  - J. having regard to the development level of Thailand and the Philippines and their extremely large fishing capacity which can enable them to comply with rules of origin more easily, should they be granted preferential arrangements,
  - K. whereas a change in conditions of access for Thailand and the Philippines would lead to disruption and the disappearance of the ACP tuna industries,
  - L. fearing that the collapse of the tuna sector in the ACP States may lead to far-reaching and economic and social upheavals and undermine the progress made in combating poverty, which is one of the fundamental objectives of the Cotonou Agreement,
  - M. having regard to the mediation within the WTO regarding a reduction in customs duties for canned tuna exported by Thailand and the Philippines and the mediators' proposal which has been forwarded to the European Commission,
1. Calls on the European Union to:
    - recognise that there is a major difference between the ACP countries, most of which are LDCs, and Thailand and the Philippines;
    - ensure that no decision that would be harmful to the ACP countries is taken by the authorities of the EU Member States;
    - ensure that access to the European Union market is maintained for ACP products in general and tuna products in particular;
    - ensure that offers made by the EU within the Doha agenda do not hamper the development efforts in the ACP countries;
    - refrain from adopting the mediators' proposal which, in any case, is not binding;
  2. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the European Commission.
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**RESOLUTION <sup>(1)</sup>****on the promotion of the private sector in the context of the Cotonou Partnership Agreement**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
  - having regard to the ACP-EC Partnership Agreement signed in Cotonou on 23 June 2000, namely in Part 4: Development Finance Cooperation, Title II Financial Cooperation, Chapter 7: Investment and private sector development support, as well as the Development Compendium <sup>(2)</sup>,
  - having regard to the Declarations of the ACP Heads of State and Government meeting in Libreville, Santo Domingo and Nadi,
  - having regard to the European Commission communication to the Council and the European Parliament on 'A Community strategy for private sector development in ACP countries' <sup>(3)</sup>,
  - having regard to the European Commission communication concerning Corporate Social Responsibility (A business contribution to sustainable development) <sup>(4)</sup>,
  - having regard to the resolution on development finance cooperation adopted by the ACP Council of Ministers at its 76<sup>th</sup> Session meeting in Brussels on 10-11 December 2002 <sup>(5)</sup>,
  - having regard to the Operational Guidelines for the Investment Facility,
- A. having regard to the provisions of Articles 74-78 of the Cotonou Agreement, which recognise the need to support the policies and strategies for investment and private sector development as well as the role of investment promotion in any process of economic development, must be borne in mind,
  - B. whereas the private sector is the main source of employment in ACP countries, though by targeting this important economic sector the ACP Group and the European Union seek to fight poverty by improving income distribution and reducing social exclusion while promoting sustainable development in the ACP States,
  - C. whereas small and medium-sized enterprises (SME) are essential to development for they contribute substantially to two fundamentals of poverty reduction: job creation and economic growth, and stand as a foundation of civil society,
  - D. whereas globalisation has affected the way people live and do business around the world, and thus competition has become more fierce, putting a supplementary strain on the competitiveness of private enterprises in ACP countries,
  - E. whereas trade liberalisation by itself will not lead to the development of the ACP States and if such a process is not carried out taking into consideration the specific needs and limitations of the ACP productive sector it could lead to greater social exclusion and distress,
  - F. emphasising the need to effectively coordinate the various ACP-EU private sector support instruments with a view to preventing duplication of efforts and enhancing the impact of the funds consecrated,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

<sup>(2)</sup> Compendium of Cooperation Strategies, Agreement between the Members of the Group of the African, Caribbean and Pacific States and the European Community and its Member States.

<sup>(3)</sup> COM(98) 667 final.

<sup>(4)</sup> COM(2002) 347 final.

<sup>(5)</sup> Resolution No 2.

- G. acknowledging the importance of corporate social responsibility with a view to safeguarding the environment and guaranteeing humane working conditions,
- H. noting the winding down of the European Business Advisory Service (EBAS) and the finalisation of the DIAGNOSE programmes,
1. Reaffirms the role of the private sector in speeding up growth and development in ACP countries, and the need for ACP countries to create a favourable environment for investment;
  2. Reaffirms its will to continue its efforts to promote the overall competitiveness of the ACP private sector as a way of reducing poverty and facilitating the gradual integration of the ACP countries into the world economy;
  3. Calls on the ACP States and the European Union to devote sufficient resources to enable the active participation of the ACP private sector in the global trading system;
  4. Invites the Joint ACP-EU Ministerial Committee on Development Finance Cooperation to pay special attention to the promotion and development of the ACP private sector;

#### **Participation of the private sector in the negotiations for Economic Partnership Agreements (EPA)**

5. Calls on the ACP countries and the European Union to encourage the participation of the private sector in the ongoing EPA negotiations;
6. Highlights the leading role to be played by regional and professional organisations in enabling the private sector to contribute to the formulation of the ACP and EU negotiating strategies;

#### **Participation of ACP businesses, suppliers and consultants in contracts financed by the EDF**

7. Notes with interest the provisions of Annex IV, (Implementation and Management Procedures), to the Cotonou Agreement aimed at encouraging as much participation as possible from physical and legal entities in ACP States in the implementation of contracts financed by the EDF;
8. Welcomes the review of the general rules relating to services, supplies and works contracts financed by the EDF to ensure the inclusion of specificities of the ACP-EC Partnership;
9. Urges the European Commission, as well as the national and regional authorising officers, to ensure that the application of these provisions in the selection and award of contracts offers optimum possibilities to ACP enterprises, suppliers and consultants;

#### **Coordination of aid**

10. Calls upon the ACP countries and the European Union to put in place a coordination mechanism with a view to preventing duplication amongst the various EDF-funded all- ACP, regional and national private sector support programmes and institutions;

#### **Investment facility**

11. Regrets that the Operational Guidelines of the Investment Facility (IF) were solely developed by the European Investment Bank (EIB) and were approved by the European Commission without the participation of the ACP Group;

12. Calls on the EIB to undertake appropriate actions, in consultation with the Commission and the ACP Secretariat, to explain the operations of the Investment Facility and ensure the widest possible dissemination of information relating to access to its resources by the private sector and commercial, partially state-owned businesses;
13. Calls upon the ACP Secretariat and the European Commission to closely follow the implementation of the Investment Facility with a view to guaranteeing that it fulfils its objective as a development tool;
14. Requests the EIB to examine the possibility of creating regional representations, in an appropriate form, in ACP countries;

#### **New private-sector support initiatives**

15. Urges the ACP Secretariat and the European Commission to enhance the current private-sector support instruments and create new ones with a view to upgrading the overall competitiveness of the ACP private sector with special attention to product development, market access, distribution systems and transportation networks (PMDT);
  16. Commends the initiatives taken by the European Parliament and the European Commission with a view to promoting corporate social responsibility (CSR) as a way of promoting the welfare of workers and consumers and urges the ACP Secretariat and the European Commission to closely follow the evolution of this dossier;
  17. Calls on the European Commission to put in place a programme, based on the EBAS experience, with a view to promoting business development services in the ACP countries;
  18. Supports the installation of a successor to the DIAGNOSE programme with a view to determining the opportunities and challenges faced by private-sector operators in specific ACP countries and regions and facilitating the design and implementation of other private sector support instruments;
  19. Calls on the ACP Group and the European Union to collaborate with renowned NGO and private-sector organisations with a view to promoting 'fair trade initiatives' in favour of ACP producers;
  20. Calls on the ACP Group and the European Union to support the promotion of micro-finance institutions with a view to fostering the development of SMEs in ACP States;
  21. Calls on the ACP States and the European Union to secure support for ACP capacity-building initiatives with a view to enhancing the competitiveness of the ACP private sector;
  22. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission and the European Investment Bank.
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**RESOLUTION <sup>(1)</sup>****on racism, racial discrimination, xenophobia and related intolerance**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
  - having regard to resolutions previously adopted by the organs and joint bodies of the ACP Group and European Union,
  - having regard to the principles and objectives of the Georgetown Agreement as amended, and the Libreville, Santo Domingo and Nadi Declarations of the ACP Heads of State and Government at their Summits in 1997, 1999 and 2002,
  - having regard to the ACP-EU Partnership Agreement signed in Cotonou, Benin, on 23 June 2000,
  - having regard to Article 29 of the EU Treaty, and new Articles 6 and 13 of the EC Treaty, as incorporated into those treaties by the Treaty of Amsterdam, referring to respect for human rights, fundamental freedoms and fundamental rights, and the fight against racism and xenophobia and against many forms of discrimination as a European Union objective,
  - having regard to the principles of the Charter of the United Nations, and to the Universal Declaration of Human Rights, the Conclusions of the 1993 Vienna Conference on Human Rights, the Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of all forms of Discrimination against Women, the International Convention on the Elimination of all forms of Racial Discrimination, the 1949 Geneva Conventions and the other instruments of international humanitarian law, the 1954 Convention relating to the Status of Stateless Persons, the 1951 Geneva Convention relating to the Status of Refugees, the 1967 New York Protocol relating to the Status of Refugees, the two World Conferences to Combat Racism and Racial Discrimination held in Geneva in 1978 and 1983 respectively, and the Declaration and Programme of Action of the UN World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 7 September 2001,
- A. whereas the UN World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance made an important contribution to the cause of the eradication of racism, racial discrimination, xenophobia, and related intolerance and that the Durban Declaration and Programme of Action have to be fully implemented without delay through effective action,
- B. conscious of its own responsibilities in the follow-up to the UN World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and the need to strengthen the capacity of ACP States to undertake these responsibilities,
- C. whereas it is a matter of great concern that, despite continued efforts, racism, racial discrimination, xenophobia and related intolerance and acts of violence persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,
- D. recognising the efforts of ACP States, in particular the commitment and determination of the African leaders, to effectively address the challenges of poverty, underdevelopment, marginalisation, social exclusion, economic disparities, instability and insecurity, through initiatives such as the New Partnership for Africa's Development (NEPAD),
- E. acknowledging the potential of the new Information and Communication Technologies (ICTs) to establish educational and awareness-raising networks against racism, racial discrimination, xenophobia and related intolerance, and to promote universal respect for human rights and the value of cultural diversity,

<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

- F. appreciating that Non-State Actors (NSA), in particular civil society, at national, regional and international levels actively participate in the continuing fight against racism, racial discrimination, xenophobia and related intolerance,
- G. noting a number of recent developments in Europe that give serious cause for concern, including:
- incidents of racially motivated violence and assaults on minorities in the European Union;
  - prominence of extreme and/or far-right political parties with racist and xenophobic agendas and programmes on the political landscape of the European Union; and
  - continuing racist indignities that travellers from ACP countries experience when they travel to the EU, which reflect a growing mood of hostility towards foreigners in the EU,
- H. whereas xenophobic and racist attitudes in EU Member States towards citizens of ACP States seriously impede the development and expansion of ACP-EU cooperation and relations, by, inter alia,
- making the creation and establishment of business and commerce contacts more difficult, thereby impeding the development of mutually beneficial commercial relations between the ACP and EU;
  - fuelling an attitude in the EU of pessimism and indifference to the problems of the developing world; and
  - undermining the spirit that ought to bring about the building of an effective partnership between the ACP and the EU,
1. Expresses its willingness to cooperate fully with all relevant institutions of the United Nations system, in particular the Office of the High Commissioner for Human Rights, in following up the Durban Declaration and Programme of Action;
  2. Urges States to promote and protect the human rights of victims of racism, racial discrimination, xenophobia and related intolerance who are infected, or thought to be infected, with pandemic diseases such as HIV/AIDS and to take appropriate action to eliminate any negative consequences arising from these pandemics;
  3. Further urges all politicians to refrain from any form of exploitation or encouragement of racist and xenophobic sentiments, to condemn all forms of intolerance and racist remarks, and to combat any racist and xenophobic tendencies or groups within their own ranks;
  4. Calls on the EU Member States to ensure that the Geneva Convention relating to the Status of Refugees is fully implemented and that immigration legislation and policies do not lead to discrimination based on ethnic origin or nationality and do not encourage xenophobic attitudes or discriminatory and hostile behaviour towards ethnic minorities;
  5. Condemns all mass expulsions and protests against the resumption of mass return policies which are implemented in humiliating conditions; calls for an immediate end to these mass expulsions;
  6. Insists that ACP citizens legally resident in the European Union receive equal treatment in terms of economic, social, civil, cultural and political rights in accordance with the relevant UN human rights conventions;
  7. Welcomes the stand taken by EU leaders and citizens against certain manifestations of racism and xenophobia in Europe;
  8. Urges greater cooperation between the ACP Group and the European Union to combat racism, racial discrimination, xenophobia and related intolerance;
  9. Expresses its willingness jointly to seek ways and means to ensure that manifestations of racism, racial discrimination, xenophobia and related intolerance do not impede the future of the ACP-EU Partnership;



10. Calls on the ACP-EU Council of Ministers to consider the issuing of a joint EU-ACP Resolution on Racism, Racial Discrimination, Xenophobia and Related Intolerance at their next respective meetings in 2003;
11. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the European Commission.

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

**on the situation in West Africa**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
  - having regard to UN Security Council Resolution 1464 (2003) of 4 February 2003 on Côte d'Ivoire,
  - having regard to the EU Presidency Declaration of 19 February 2003 on Côte d'Ivoire,
  - having regard to the EU Presidency Declaration of 12 February 2003 on Togo,
  - having regard to its previous resolutions on the situation in the West African region,
- A. whereas several failed peace accords and peacekeeping efforts, collapsed economies and the human rights atrocities perpetrated in recent years constitute a serious threat to the stability of the whole subregion,
  - B. noting the numerous political, economic and development efforts and improvements made in this region of Africa with a view to the establishment of an internal market and an economic and social area, but having regard to the drought and the threat of serious food shortages affecting the region, in particular Senegal, Gambia, Mauritania, Mali, Niger and part of Burkina Faso,
  - C. having regard to the official launch of the African Union in July 2002 in Durban,
  - D. mindful that ethnic, religious and political diversity constitute a valuable asset provided that equality and fraternity are prevalent,
  - E. deploring the heavy loss of life, including civilian fatalities, and the serious violations of human rights and international humanitarian law in Côte d'Ivoire,
  - F. reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and having regard to the conclusion of the Marcoussis agreements, which reaffirm the importance of respect for the country's territorial integrity and institutions and provides for the establishment of a government of national reconciliation and the disarmament of rebel groups,
  - G. deploring in particular the recent reports of atrocities and lawlessness in the western area of Côte d'Ivoire along the border with Liberia, which have already driven several hundred thousand people from their homes and threaten to develop into a major humanitarian crisis,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

- H. having regard to continued fighting in Liberia particularly in Lofa province, and the appearance of a new war zone on the frontier with Côte d'Ivoire, preventing the stabilisation of the political situation in the Mano River countries — Guinea Conakry, Liberia and Sierra Leone — and improvement of the humanitarian situation in these countries,
- I. whereas the renewed fighting in Liberia, with the rebels gaining control over large areas of western Liberia, has driven a further 30 000 people from their homes in an attempt to reach the capital, Monrovia, and whereas according to the UNHCR thousands more may attempt to reach neighbouring Sierra Leone, which is itself just recovering from a decade-long war,
- J. whereas Sharia law has been introduced in twelve of Nigeria's northern states since 1999,
- K. expressing grave concern at the recent sentencing to death by stoning for adultery of women and men in these states,
- L. noting the efforts of the Federal Government of Nigeria in conformity with its Constitution to protect the fundamental human rights of its citizens in accordance with its obligations under international human rights instruments including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Covenant on Civil and Political Rights,
- M. noting the recommendation by the co-rapporteurs on human rights that a letter of support and encouragement be addressed to President Olusegun Obasanjo by the Co-Presidents of the JPA, urging him to have such sentences quashed and for an end to the death penalty for having children outside wedlock,
- N. deploring the fact that the parliamentary elections held in Togo on 27 October 2002 appeared to violate the Lomé Framework Agreement,
1. Reiterates its support for ECOWAS initiatives seeking to achieve a peaceful and durable solution in the region and urges the authorities to cooperate unreservedly in achieving this objective through more intensive political dialogue and by establishing good neighbourly relations;
  2. Reiterates its conviction that respect for human rights and democratic principles is the cornerstone for the stabilisation and peace process in the region;
  3. Welcomes the launching of NEPAD and the African Union with all its instruments, which is an important step towards the political integration of the African continent;
  4. Welcomes the fact that the African Union Constituent Act recognises the importance of respect for human rights and unambiguously rejects impunity; calls on the African Union to confirm this by finalising a protocol on women's rights to the African Charter and ratifying the protocol setting up an African Court on Human and Peoples' Rights;
  5. Welcomes the efforts made by the Government of Ghana, through its Ministry of Women and Children's Affairs, to improve the situation of women farmers by offering them credit loans and machinery to expand their enterprises;
  6. Calls on the Council and Commission to act on the basis of the principle of African integration to safeguard and promote the common interests of the European Union and its African partners, particularly in international trade talks;
  7. Draws attention to the fact that the cause of this instability is the sharp decline in resources due to both the slump in world agricultural and raw materials prices and the cost of servicing the debt, and calls on the European Union and the Member States accordingly to step up their cooperation with the worst affected countries;

8. Recalls that religious freedom (implying freedom of faith and worship without discrimination or preference), as established in numerous international legal instruments, must be preserved;
9. Calls for the de jure and de facto abolition of the death penalty in all countries of the region where it still exists;
10. Condemns all the violations of human rights and international humanitarian law that have taken place in Côte d'Ivoire since 19 September 2002, stresses the need to bring to justice those responsible for these violations, and urges all parties, including the government, to take all necessary steps to prevent further violations of human rights and international humanitarian law, in particular against civilians, regardless of their origin;
11. Notes the provisions in the Linas-Marcoussis Agreement for the formation of a government of national reconciliation and calls on all Ivorian political forces to work with the President of the Republic and the newly appointed Prime minister towards the establishment of a balanced and stable government;
12. Calls on all the parties concerned to work jointly with the 'monitoring committee' chaired by the UN Secretary-General's Special Representative, Albert Tevodjéré, in order to secure a lasting political solution to the crisis, in the spirit of national reconciliation which was established in October 2001, with due respect for the democratic institutions and unity of the national territory of the Republic of Côte d'Ivoire;
13. Points out that the aim of the Linas-Marcoussis Agreement is to guarantee territorial integrity and respect for the country's institutions and stresses that their implementation must not serve as a basis for de facto partitioning of the country;
14. Considers that the achievement of lasting peace in the country requires the disbandment of the paramilitary groups and the disarmament of the rebel forces;
15. Calls upon all states neighbouring Côte d'Ivoire to support the peace process by preventing any action that might undermine the security and territorial integrity of Côte d'Ivoire, particularly the movement of armed groups and mercenaries across their borders and illicit trafficking and proliferation of arms in the region, including small arms and light weapons;
16. Firmly condemns the continued and renewed violent conflict in Liberia between the Armed Forces of Liberia and the Liberians United for Reconciliation and Democracy;
17. Condemns the continued hostilities in Liberia prolonging the suffering of the civilian population in this region;
18. Urges both sides to halt the fighting immediately and to attend the peace talks scheduled in Bamako, under the auspices of ECOWAS;
19. Welcomes the improved security situation in Sierra Leone following the May 2002 re-election of President Ahmad Tejan Kabbah, but warns against the potential instability deriving from the inflow of thousands of Liberian refugees;
20. Calls on the international community, and the EU in particular, to fund the appeals of the UN agencies to cope with the ever-increasing flights of refugees and internally-displaced persons along the Côte d'Ivoire-Liberia border and in Sierra Leone;
21. Urges all three Mano River Union leaders to muster the political will to build up confidence between themselves, in order to resolve the present crisis through dialogue and reconciliation that will ensure secure borders and peaceful relations between their countries;
22. Welcomes President Olusegun Obasanjo's firm and impartial leadership which led to the quashing of the death sentence by stoning of Safiya Hussaini for adultery;
23. Calls on the Government of Nigeria to take all necessary measures to secure respect for the rule of law and fundamental human rights and freedoms in Nigeria;

24. Mandates its Co-Presidents to address a letter of support and encouragement to President Olusegun Obasanjo in which it is also suggested that he use his powers within the constitution to have such sentences quashed for an end to the death penalty for sexual relations between consenting adults in Nigeria;
25. Urges the Togolese authorities to continue and step up the national reconciliation process and hold democratic, transparent (equal access to the media, presence of foreign observers) and pluralist (participation of political parties in the electoral process, including their presence in polling stations) elections;
26. Regrets that the new constitutional provisions do not allow all those wishing to do so to stand in the presidential election;
27. Calls on the Togolese political class as a whole to cooperate fully in order to create conditions conducive to national reconciliation and the country's economic and social recovery;
28. Urges the European Union, subject to these conditions, to normalise its relations with Togo with a view to putting an end to the harmful effects of sanctions on the people of Togo and strengthening the democratic process through sustainable development and efficient governance, in keeping with the national reconciliation process provided for in the Lomé Framework Agreement;
29. Welcomes the agreement between the President and opposition party leaders in Guinea-Bissau to postpone the legislative elections scheduled for 20 April 2003, and calls for strict respect for human rights and the holding of free and fair elections on 6 July 2003;
30. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the Secretary-General of the United Nations, the President of the Commission of the African Union and the Executive Secretary of ECOWAS.

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

### on the situation in Central Africa

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
- having regard to its previous resolutions,
- having regard to the declarations by the African Union and the EU Presidency condemning the coup which took place on 15 March 2003 in the Central African Republic (CAR),
- having regard to the peace agreement signed on 30 July 2002 in Pretoria between the Democratic Republic of the Congo (DRC) and Rwanda and the various agreements regarding the withdrawal of foreign troops,
- having regard to the cease-fire and cessation of hostilities agreements signed on 29 December 1999 between the Congolese Government and the National Resistance Council (CNR),
- having regard to the peace agreement signed on 17 March 2003 between the Congolese Government and Pastor Ntoumi's armed movement,
- having regard to the Arusha Agreement on peace and reconciliation in Burundi and the cease-fire agreements signed between the Transitional Government of Burundi and the various armed movements — Pierre Nkurunziza's CNDD-FDD, Jean-Bosco Ndayikengurukiye's CNDD-FDD and Alain Mugabarabona's PALIPEHUTU/FNL,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

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- having regard to the interim report submitted on 21 October 2002 to the UN Security Council on the pillaging of DRC resources,
  - having regard to Rwandan Organic Law No 40/2000 of 26 January 2001 establishing 'Gacaca courts',
  - having regard to the communiqués from the forces for the defence of democracy (CNDD-FDD) suspending their participation in the negotiations with the Transitional Government of Burundi,
  - having regard to its Bureau's decision to send a mission to Equatorial Guinea,
- A. whereas there is no military solution to the conflicts which have caused the death or displacement of millions of people in Central Africa,
  - B. whereas the various conflicts are characterised by a 'war within a war' against women who are victims of acts of violence and rape, mostly concealed afterwards by a wall of silence,
  - C. having regard to the determined and effective action by women's organisations in assisting and supporting women who have suffered acts of violence,
  - D. whereas to create jobs and attract investment it is necessary to ensure political and economic stability and respect for the principle of good governance and the rule of law,
  - E. whereas, without genuine peace, the reconstruction efforts undertaken by the Congolese Government cannot be sustained,
  - F. concerned at the loss of life caused by the coup d'état among civilians and members of the CAEMC peacekeeping forces in the CAR, and the humanitarian plight of many refugees at the border between Chad and the CAR,
  - G. whereas the Lusaka and Pretoria Agreements make detailed provision for the resolution of the crisis in the DRC,
  - H. whereas, although agreements have been signed for the withdrawal of foreign troops from the DRC, the process of withdrawal has not been fully completed,
  - I. having regard to the continued serious unrest in the district of Ituri (eastern province of the DRC),
  - J. having regard to the serious damage being done to the ecosystem, in particular the illegal exploitation of the equatorial forest in the DRC,
  - K. whereas most of the national parks suffering from poaching activities, deforestation and illegal mining of gold and coltan are situated in the east of the DRC,
  - L. whereas regional union between neighbouring countries is a tried and tested solution to avoid conflict and war through peaceful collaboration and joint development,
  - M. having regard to the dimensions assumed by the HIV/AIDS pandemic, particularly in conflict-torn areas because of the vulnerability of the population, increasing the number of orphans,
  - N. having regard to the positive action taken by Uganda, which has succeeded in slowing down the spread of the HIV/AIDS virus,

- O. whereas the transition period in Rwanda is scheduled to end with the holding of elections in July 2003,
- P. concerned at the continuing violence which is harming the civilian population despite the cease-fire agreements signed between the Transitional Government of Burundi and the armed rebel movements, and alarmed by the abuses currently perpetrated by the military forces of all the parties involved in the conflict,
- Q. whereas, after ten years' war, Burundi is the third poorest country in the developing country rankings, the percentage of children in school has fallen from 70 % to 20 % and the infant mortality rate stands at the same level as in the 1960s,
- R. having regard to the agreement recently signed between the Government of Equatorial Guinea and the European Commission with a view to improving the human rights situation,
- S. whereas some members of the opposition in Equatorial Guinea are held in prison,
1. Condemns the coup d'état of 15 March 2003, which enabled General Bozize to seize power in the CAR;
  2. Calls for a speedy return to constitutional order and for the human rights and fundamental freedoms of the civilian population to be respected and protected in the CAR;
  3. Calls on the financial institutions, including the IMF and the World Bank, to provide the necessary funds to pay civil servants once constitutional order is respected in the CAR;
  4. Supports the CAEMC's decision to maintain the peacekeeping forces in the CAR;
  5. Deplores the pillaging, abuses and attacks on the civilian population perpetrated by the warring forces;
  6. Condemns the pillaging of the World Food Programme offices and calls on aid organisations to provide the necessary resources to meet the population's needs;
  7. Calls for free presidential elections to be held as soon as possible within an EU organisational framework and under UN supervision;
  8. Welcomes the Pretoria Agreements and calls on all the parties to respect the commitments they entered into in Lusaka and Pretoria with regard to demilitarisation, disarmament and the introduction of all mechanisms necessary for the intercongolese dialogue so as to resolve in a consistent manner the problems of security and the political, humanitarian, social and economic issues concerning all countries of the region;
  9. Welcomes the continuation of the dialogue organised by the UN Secretary-General's Special Envoy, and the efforts of the African Union to resolve the crisis in the DRC;
  10. Calls for the withdrawal of the foreign and paramilitary troops still present in the DRC and expresses the hope that it may become total and definitive without compromising the safety of anyone in the DRC;
  11. Supports requests to the UN Security Council for the deployment of additional armed forces;
  12. Calls on the UN Security Council to consider the possibility of extending and specifying MONUC's mandate on peacekeeping activities and the monitoring of the agreements;
  13. Calls on all parties concerned to make the necessary efforts for the safe repatriation of refugees and those displaced internally;
  14. Encourages the holding of open and pluralist elections in Rwanda;

15. Calls for Rwanda and the DRC to be given assistance by the international community, in particular the European Union, to organise these elections in the presence of international observers;
16. Calls on the national parliaments of the countries in this region to play a greater part in ensuring close monitoring of their governments, particularly regarding implementation of the Cotonou Agreement;
17. Welcomes the introduction of the 'Gacaca courts' and hopes that they will help to achieve national reconciliation in Rwanda;
18. Considers it essential to break down the wall of silence set up following acts of violence against women during the conflicts;
19. Welcomes the vital humanitarian contribution made by ECHO, particularly in Goma, following the eruption of the Nyiragongo volcano;
20. Calls on the Commission to concentrate on strengthening resources, including health and plant health resources, so as to ensure that access to the European market under the 'everything but arms' initiative exists not only in theory but also in practice;
21. Urges that, in accordance with the spirit of 'good governance', those implicated in the systematic pillaging of DRC resources be dismissed from their posts and responsibilities during the period of transition towards democracy;
22. Congratulates the Government of the Republic of the Congo and armed movements on signing the various agreements to restore peace;
23. Calls on all the parties to continue their efforts to consolidate peace and national reconciliation;
24. Encourages the Government of the Republic of the Congo in its efforts to secure the return of many displaced persons to their places of residence;
25. Calls on the UN Security Council to impose penalties (restrictions on their movements and bank accounts) on individuals and corporations found guilty of participating in pillaging the DRC;
26. Calls for priority to be given to primary education and training and welcomes the notable increase in school attendance in Uganda;
27. Fears that increases in military outlay will be at the expense of education and health;
28. Calls for the resumption as soon as possible of normal river traffic on the Congo, which is a vital artery for the region;
29. Urges the Transitional Government of Burundi and Pierre Nkurunziza's CNDD-FDD to comply with the terms of the cease-fire agreements of 3 December 2002 and 27 January 2003;
30. Condemns the rape of women by the forces involved in the Burundian conflict;
31. Calls on the National Liberation Forces (Agathon Rwaswa's FNL-PALIPEHUTU) to engage unreservedly in the cease-fire negotiations in Burundi;
32. Condemns firmly the massacres of civilians perpetrated by the various warring parties, such as that of Itaba, in the province of Gitega (Burundi), on 9 September 2002; calls for those responsible for the various massacres which have taken place around the country (including the Itaba massacre) to be tried for violation of human rights;
33. Calls on the government and the rebels to guarantee the safety of the observers sent by the African Union to monitor implementation of the cease-fire in Burundi;
34. Calls on international aid donors, with particular reference to the Commission and the European Union Member States, to set up aid programmes aimed at alleviating poverty in Burundi and supporting the peace process;

35. Calls on the various military forces to facilitate the population's access to aid, in accordance with international humanitarian law;
36. Calls on the Government of Equatorial Guinea to release all political prisoners and implement a genuine and verifiable process of democratisation;
37. Welcomes the agreement recently concluded between the Government of Equatorial Guinea and the European Commission with a view to improving the human rights situation, and hopes that the agreement will bring about a genuine improvement in the human rights situation in Equatorial Guinea;
38. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the Commission of the African Union, the Secretary-General of the United Nations, the IMF, the World Bank and the governments of the region of Central Africa.

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

#### on the situation in Southern Africa

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
  - having regard to the UN Secretary-General's report of 26 July 2002 and to Security Council Resolutions 1432(2002), 1433(2002) and 1439(2002) on Angola,
  - having regard to the UN Secretary-General's reports of 12 December 2002 and 7 February 2003,
  - having regard to its previous resolutions on Southern Africa,
  - having regard to the Africa Hunger Alert campaign launched by the World Food Programme (WFP) on 16 December 2002,
- A. whereas many countries in Africa, Asia and Central America are currently facing catastrophic conditions caused primarily by shifting weather patterns, political instability, failed economic policies, and HIV/AIDS,
- B. whereas nearly 15 million are threatened by starvation in six countries in Southern Africa — Malawi, Zimbabwe, Zambia, Lesotho, Swaziland and Mozambique — as a result of drought, the convergence of poor harvests and HIV/AIDS,
- C. whereas the scope and depth of the crisis is unprecedented and requires an urgent response, failing which the humanitarian community will not be able to counter these looming disasters,
- D. whereas in the particular case of Southern Africa the traditional pattern of humanitarian assistance is simply not a viable option at this time, as the capacities of governments across the region to deal with the impact of the current humanitarian crisis have been weakened by the current and future implications of the HIV/AIDS pandemic, which is threatening an entire generation of working-age adults and leaving in its wake millions of orphans,
- E. whereas food aid in itself is not an appropriate instrument to create long-term food security but remains essential to deal with humanitarian crises of an unprecedented and unpredictable nature,

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<sup>(1)</sup> Adopted at the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).



- F. noting the moral and sovereign rights of affected Southern African states to accept or reject GMOs coming as food aid and the Cartagena Protocol on Biosafety, requiring advanced informed agreement on the use of GM food,
- G. having regard to corruption charges against European companies during the construction in Lesotho of the one of the world's largest hydrological engineering projects, which would provide drinking water to 7 million South Africans, and taking into account the heavy financial burden of the judicial process involved in the prosecution of the case,
- H. whereas on 17 September 2002 the High Court of Lesotho convicted Acres International, a Canadian engineering consultancy firm, of paying bribes to win contracts on the Lesotho Highlands Water Project (LHWP),
- I. whereas the court cases have been extremely costly and it is feared that Lesotho, one of Africa's poorest countries, will not have the financial resources to complete the prosecutions,
- J. having regard to the fight against corruption in Zambia carried out by President Mwanawasa, at the risk of losing his post,

#### **South Africa**

1. Believes that South Africa has a central role to play in fostering development and stability throughout the region and calls on and encourages it to make a still more determined and direct commitment to combating poverty and social inequalities;
2. Calls on the South African Government to do everything in its power to combat HIV/AIDS;
3. Calls on the relevant authorities to step up their efforts to combat crime, particularly crime which affects the most vulnerable members of society (women and children) and some foreign communities, without undermining respect for human rights;
4. Calls on the Member States, the Commission, the European Investment Bank, the ACP countries and the international community to provide assistance to South Africa under their respective programmes for the country;

#### **Angola**

5. Congratulates the Angolan Government and UNITA for the strong political will shown in achieving the goal of peace and national reconciliation and invites all parties to continue to work together closely to build on this achievement; is concerned about any pockets of conflict that remain in the country and welcomes all initiatives to resolve them that may lead to a democratic dialogue;
6. Expresses its satisfaction with the finalisation of the work of the Joint Commission which marks the completion of the main tasks of the Angola peace process and notes with satisfaction some steps towards normality like the appointment of a new Prime Minister — an office which has been vacant for three years — and the ongoing discussion between parties in parliament on a new constitution for Angola;
7. Welcomes the Angolan Government's declaration of 19 November 2002 underlining its commitment to the social reintegration of all Angolans and recognising UNITA's full engagement in the peace process;

8. Stresses in this regard a number of medium and long-term challenges such as the reintegration into society of former government and UNITA soldiers and their families and the resettlement of civilians displaced by the war and reconstruction, which have to be met by Angola; notes that these tasks will now have to be handled within the framework of the national reconciliation process agreed by both parties;
9. Notes the reunification of UNITA as a freely reorganised unarmed political party;
10. Believes that the consolidation of peace in Angola also depends on the re-establishment of the electoral process and full normalisation of democratic, free and pluralist institutions, guaranteed respect for human rights, respect for the law, the independence of the courts, the neutrality and impartiality of the public administrative authorities, a properly functioning state apparatus and social justice;
11. Welcomes in this context the commitments by the President of the Republic and the government to ensure the democratic legitimacy of national institutions by holding free and pluralist local and national elections as soon as possible; asks the Commission to help provide the necessary international assistance for this purpose;
12. Considers also that peace, reconciliation and democracy in Angola require the commitment of all Angolans to engage in a comprehensive dialogue encompassing and actively involving all political parties on a representational basis, together with civil society, and traditional and religious authorities;
13. Calls on the European Commission to include in its aid programmes for Angola provision for the participation of civil society and churches in the process of national reconciliation and civic training programmes, in a move to strengthen democracy;
14. Calls on the European Commission and the ACP-EU Council to support programmes of mine clearance, humanitarian assistance and the social reintegration of displaced persons, demobilised personnel, the disabled and orphans, together with the organisation of an international conference of humanitarian aid donors and the reconstruction of Angola following the restoration of peace;
15. Urges the European Commission and the international community to provide further funding for the restoration of infrastructures destroyed during the war and for relaunching economic activity, particularly in the agricultural and fisheries sectors, so as to make the population less dependent on food aid;
16. Welcomes the commitments by the President of the Republic and the measures urged by the leader of the parliamentary majority to combat corruption; calls on the authorities to act with determination so as to bring this campaign to a successful conclusion;
17. Calls on the Angolan Government and its industrial and trading partners to establish suitable mechanisms for the transparent and responsible management of Angola's natural resources in accordance with IMF recommendations;
18. Endorses the United Nations proposals to continue, following the expiry of the mandate of the United Nations Mission in Angola (UNMA), closely to monitor the humanitarian situation and respect for human rights throughout the country;

### **Lesotho**

19. Welcomes the stand taken by the government of Lesotho against bribery and corruption; hopes that this will be an example to other countries in Southern Africa;
20. Asks the European Commission to provide the necessary financial support to the Lesotho Government to enable it to pursue the court process to its conclusion;

**Good governance**

21. Fully supports all those who fight corruption, particularly President Mwanawasa of Zambia;
22. Calls on the European Commission and the governments of the EU Member States to honour their commitments in support of good governance and to provide financial and technical assistance and cooperation to those developing nations which are willing to deter, prevent and punish corrupt practices in the award of contracts for public works;

**Food crisis**

23. Expresses its grave concern at the looming humanitarian disasters in Southern Africa and calls on the EU and other donors to promptly and substantially respond to the Africa Hunger Alert campaign launched by the World Food Programme (WFP) and to step up food aid and humanitarian aid to the region, as well as support for longer-term efforts to achieve food security;
  24. Supports the position of the Zambian Government which has rejected GM food aid on the basis of the precautionary principle in order to protect Zambian farmers, the country's agricultural production and prospects for exports;
  25. Considers that the Cartagena Protocol on bio-safety enshrines the sovereign right of countries to be informed and to take precautionary decisions on imports of GMOs;
  26. Reaffirms that the right to food is a fundamental human right and that accepting or rejecting GM food aid is a sovereign right of beneficiary countries;
  27. Warns that the global cost of not eradicating hunger — in terms of conflict, recurrent emergencies, international crime, the drugs trade, economic stagnation, clandestine migration and premature death — is enormous;
  28. Calls on the EU and other donors to address urgently the dire socio-economic impacts of the HIV/AIDS pandemic in the Southern Africa region, and to speed up the slow disbursement of earmarked monies from the Global Fund for HIV/AIDS;
  29. Expresses its continuing grave concern at the magnitude of the food crisis facing some countries in Southern Africa;
  30. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the Secretary-General of the United Nations, the African Union, SADC and the governments of Angola and South Africa.
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**RESOLUTION <sup>(1)</sup>****on the situation in East Africa**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
- having regard to its previous resolutions on East Africa, in particular the Horn of Africa,
- A. having regard to the drought in East Africa, particularly in the Horn of Africa, which continues to degrade the environment and devastate communities, resulting in extremely serious food shortages for 14 million people,
- B. whereas significant progress has been achieved in the implementation of the peace accords between Eritrea and Ethiopia, including the Boundary Commission's delimitation decision; whereas there is still need for the expeditious demarcation of the delimited boundary in order to secure full implementation of the Algiers Peace Accords and the definitive settlement of the Eritro-Ethiopian dispute,
- C. whereas the UN Security Council has renewed the mandate of the United Nations Mission in Eritrea and Ethiopia (UNMEE) until 15 September 2003 and continues to be seized of the peace process with a view to its full implementation,
- D. recalling the significant contribution of the EU and its Member States to UNMEE and OLMEE and the EU's commitment to supporting the full implementation of the Algiers Peace Accords,
- E. noting the concerted efforts of the Inter-Governmental Authority for Development (IGAD) and its partners to bring about a comprehensive and durable peace settlement in Sudan and the progress achieved to date in the Machakos peace process,
- F. concerned about the ongoing human rights abuses and the continuing crisis in Somalia and its disastrous impact on the precarious security and humanitarian situation in the country and in neighbouring countries,
- G. whereas Somalia needs the support of the international community, in particular the EU, in order to ensure the success of the ongoing National Reconciliation Conference, make and build peace, help restore the state and preserve national unity and territorial integrity,
- H. whereas the newly-elected President in Kenya, Mr Kibaki, has said he would make the fight against corruption a priority and also promised to tackle Kenya's economic decline,
- I. whereas the efforts aimed at development and poverty eradication in the Horn of Africa are being hampered by the lack of peace, security and stability engendered by conflict, both inter-state and intra-state,
- J. whereas the World Food Programme has been forced to suspend its operations in the north of Uganda because of murderous attacks by the Lord's Resistance Army at a time when 800 000 people are dependent on food aid,
- K. having regard to the agreement concluded between Sudan and Uganda no longer to provide base camp facilities for each other's armed opposition forces,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

1. Commends the efforts of the UN and the African Union (AU) to ensure the completion of the Eritro-Ethiopian peace process;
  2. Calls for the expeditious demarcation of the Eritro-Ethiopian boundary in strict adherence to the 13 April 2002 delimitation decision of the Boundary Commission;
  3. Reaffirms its support for the work of the Special Representative of the Secretary-General (SRSG) and calls on the parties to cooperate fully with UNMEE in the fulfilment of its mandate;
  4. Welcomes the establishment of political pluralism in Djibouti;
  5. Expresses concern about the humanitarian situation in Sudan and calls on the Government of Sudan and the Sudan People's Liberation Movement (SPLM) to continue to work for the success of the Machakos process and to continue to cooperate fully with the efforts of IGAD and its partners to achieve a comprehensive and durable peace;
  6. Calls on the international community, in particular the EU, to actively support the Sudan peace process;
  7. Welcomes the normalisation of relations between the Government of Uganda and the Government of Sudan with a view to achieving peace in the region;
  8. Calls on all the Somali parties to work for the success of the ongoing IGAD-facilitated National Reconciliation Conference so as to realise full national reconciliation and the effective reinstatement of state authority in Somalia;
  9. Urges the EU to strengthen its support for the process of national reconciliation and the restoration of the state in Somalia as well as its financial, material and humanitarian assistance to the Somali people;
  10. Welcomes the overall conduct of the presidential and parliamentary elections in Kenya in December 2002, which represents a major advance for African democracy, and urges other countries in the region and beyond to continue to promote democracy;
  11. Calls on the AU and the European Commission to help the Comoros authorities to find compromise solutions in interpreting the Constitution regarding power-sharing arrangements so as to avoid a further political crisis;
  12. Stands ready to assist Madagascar substantially in its effort to improve the economic and social situation in the country;
  13. Urges the EU to increase its emergency famine-relief assistance to the drought-stricken countries of East Africa and to devise instruments of long-term financial intervention aimed at alleviating the recurrent problem through water resource management, development and agricultural modernisation;
  14. Calls on the EU to initiate and reinforce peace-making and peace-building measures among the countries of the Horn in order to promote regional security, stability and cooperation, which are indispensable to sustainable economic development;
  15. Expresses concern about the low coffee prices which have affected many farmers in the region;
  16. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, IGAD, the African Union and the Governments of the Comoros, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Somalia, and Sudan.
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**RESOLUTION <sup>(1)</sup>****on the situation in the Caribbean region**

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
- having regard to the appropriate measures under Article 96 of the Cotonou Agreement with regard to the Republic of Haiti adopted by the EU Council on 29 January 2001, modified on 21 January 2002 and again on 10 January 2003,
- having regard to the findings of the fact-finding mission sent by its Bureau to Haiti, Jamaica and Saint Lucia from 3 to 9 February 2003,
- having regard to its resolution on Haiti adopted in Libreville (Gabon) in March 2001,

**Haiti**

- A. having regard to the accession of Haiti in July 2002 to the Caribbean Community (Caricom) regional economic and political bloc,
- B. having regard to the efforts made by its government to contain illiteracy and AIDS,
- C. having regard to the livestock epidemics which have worsened the food shortages affecting the population,
- D. concerned by the political instability that prevails in Haiti, where there has been a wave of anti-government unrest in recent months,
- E. whereas Haiti will only find the political stability and good governance that it needs for economic and social development by respecting the principles of democracy and human rights that form the essential bases for a solution to the current crisis,
- F. whereas the EU Council has decided to extend until 31 December 2003 the Decision of 29 January 2001 suspending cooperation aid to Haiti,
- G. whereas many traditional donor countries suspended aid to Haiti following what were widely regarded as controversial parliamentary elections held in May 2002,
- H. whereas the European Union has made the gradual resumption of cooperation instruments affected by measures taken in application of Article 96 dependent on the favourable development of the electoral process and the renewal of cooperation with the international financial institutions,
- I. believing that EU aid to Haiti must seek to develop a culture of democracy, to foster an inclusive political climate and to build human and institutional capacity,
- J. recognising the persistent efforts of Caricom and the Organisation of American States (OAS) to help Haiti establish an effective electoral process,

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

- K. whereas the rule of law in Haiti is threatened by a climate of violence generated by the polarisation of politics in the country; whereas this situation is further exacerbated by the corruption and partisan nature of some judicial authorities and some police operations,
- L. whereas a significant proportion of the aid still provided does not reach the intended beneficiaries,

**Jamaica**

- M. having regard to the efforts of the Jamaican Government to combat drugs trafficking,
- N. having regard to the adverse weather conditions which have seriously affected Jamaica,
- O. whereas two-thirds of Jamaica's budget is absorbed by debt servicing,
- P. having regard to the desire expressed by the political parties to put an end to violence during elections,

**Saint Lucia**

- Q. whereas Saint Lucia's relatively high level of human development is threatened because its narrow economic base — tourism, bananas and some manufacturing — is being subjected to severe external shocks and adjustments in pricing and marketing arrangements,

**Saint Kitts and Nevis**

- R. having regard to the efforts made by the Government of Saint Kitts and Nevis to prevent money laundering,

**Commonwealth of Dominica**

- S. whereas the Commonwealth of Dominica has suffered great losses in export earnings as a direct result of the decline of prices in the EU banana market,
- T. whereas, as a result of the financial crisis, the IMF is now directly involved in the supervision of the financial affairs of Dominica with onerous conditions,

**Cuba**

- U. having regard to its previous resolutions adopted in Abuja (Nigeria) in March 2000, Libreville (Gabon) in March 2001 and Cape Town (South Africa) in March 2002, calling on the ACP-EU Council of Ministers and the European Commission to give favourable consideration to the accession of Cuba to the Agreement,
- V. having regard to the ACP Council of Ministers decision of 14 December 2000 to admit Cuba as the 78th member of the ACP Group,
- W. having regard to the resolution concerning the accession of Cuba to the ACP-EU Partnership Agreement adopted by the ACP Council of Ministers at its 74th session held in Brussels on 6 and 7 December 2001, which noted the official resumption of political dialogue between the European Union and Cuba,

- X. recalling also the resolution adopted by the ACP Council of Ministers at its 75th session in Punta Cana, Dominican Republic on 26 and 27 June 2002, which inter alia:
- called on the European Union and Cuba to strengthen political dialogue in the constructive spirit prevailing at the end of 2001,
  - called on the European Union to review substantially its common position seeking to ensure fair and impartial treatment for Cuba facilitating its accession to the ACP-EU Partnership Agreement without imposing any special or unfair conditions,
- Y. having regard to the firm support for Cuban accession to the Cotonou Agreement shown at the third ACP summit held in Fiji on 18 and 19 July 2002,
- Z. having regard to the interest shown by the Cuban Government in attending negotiations for the new ACP-EU Economic Partnership Agreements as an observer,
- AA. expressing its concern at the disastrous economic and social impact of the United States embargo imposed on Cuba, as shown by the report of its Working Group on the impact of sanctions, particularly on the people of countries on which such measures are imposed, and the resolution adopted in Brussels (Belgium) in October-November 2001,
- AB. having regard to the numerous resolutions adopted by the United Nations General Assembly on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba and in particular Resolution A/56/9 of 27 November 2001, which received the support of the overwhelming majority of EU Member States,
- AC. whereas in January 2003 the Government of the Republic of Cuba applied to accede to the Cotonou Agreement, in line with the resolutions adopted by the ACP-EU Joint Parliamentary Assembly,
- AD. whereas Cuban accession should not be made subject to any specific conditions,

### **Haiti**

1. Notes that disagreements between the government and the main opposition force in Haiti, the 'Convergence Démocratique', have hindered progress towards fresh elections, with the latter insisting that pro-government militias and gangs accused of terrorising the population in certain areas be disarmed before the appointment of a Provisional Electoral Council (CEP);
2. Welcomes President Aristide's decision to go ahead with appointing the members of the CEP, which reflects his desire to make rapid progress towards the holding of early parliamentary and local elections, and calls on the opposition parties to nominate their CEP representatives; points out, however, that election organisation measures must go hand in hand with effective steps to establish a secure environment;
3. Encourages President Aristide to continue with the disarmament process and action to combat impunity; welcomes the fact that efforts are being made to implement OAS Resolution 822, with particular reference to settling the issue of the damages to be paid to any opposition groups whose members have been attacked or have had their property damaged, and the latest measures taken in connection with the police reform;
4. Calls on the European Commission to resume agricultural cooperation with Haiti, including in the livestock sector, so as to ensure food security, as well as cooperation on health and education;
5. Calls on the Commission to develop political dialogue with Haiti, embracing not only the government and political opposition but also representatives of civil society, taking care that these include representatives of the least-advantaged groups, and to coordinate its approach with Caricom and the OAS as well as with, in the relevant areas, other donor countries and institutions;



6. Notes with interest OAS plans to improve the quality of Haiti's police and security services, including the provision of senior police officers from its member states to regional offices in Haiti, the cost being roughly estimated to be of the order of USD 5 million per six-month period, and calls on the EU to provide financial support for this enterprise;

7. Acknowledges the need for EU cooperation with Haiti to be resumed; approves the emphasis in the EU's aid programme on strengthening civil society and the private sector and support for the democratisation process, the rule of law and the electoral process;

8. Calls on the EU to continue spending money from the European Development Fund on agriculture, infrastructure, health and education but considers that, in the light of its limited impact, improved resources should be allocated to these sectors and to water and sanitation programmes in line with the EU's priority development aim of poverty reduction;

9. Considers that the EU should ensure that no steps are taken now which could reduce funds that would be available for Haiti under the 9th European Development Fund once the measures applied under Article 96 of the Cotonou Agreement are lifted;

### **Jamaica**

10. Welcomes the government's efforts to combat drug trafficking and other forms of organised crime and anticipates that these efforts, with EU cooperation, will have a positive impact on related issues such as the downturn in the tourist trade, rising unemployment and related economic issues;

11. Considers that the EU should help Jamaica strengthen its police and judicial system which, along with efforts to promote economic growth and sustainable development, would have positive effects on the high level of criminality;

12. Calls on the Government of Jamaica to improve its trial system, particularly for crimes where the passing of the death sentence is permitted, by making the witness protection system more effective and by making DNA testing a routine procedure for all those accused of serious crimes;

13. Welcomes the evidence of successful implementation by NGOs in Jamaica of community-based projects in urban renewal, job training, alternative dispute resolution and drug rehabilitation;

### **Saint Lucia**

14. Notes with approval Saint Lucia's efforts in crop diversification and improvements in banana production through, inter alia, tissue culture planting, irrigation schemes and quality control on farms and at banana reception centres, efforts which will only be successful if export prices remain viable and adequate financial support is available;

15. Calls for continued EU support for these efforts, as well as for further economic diversification into areas such as eco-tourism and light manufacturing; points out that successful diversification, both in food and manufactured products, will be beneficial for exports as well as for import substitution;

16. Notes that Saint Lucia's ability to export fish to the EU would be facilitated by providing a laboratory to carry out the necessary health and quality checks and asks the European Commission to consider support for the establishment of such a laboratory which could also test fish caught by neighbouring states;

**Saint Kitts and Nevis**

17. Welcomes the fact that Saint Kitts and Nevis has been taken off the FATF Financial Action Task Force on Money Laundering (FATF) blacklist;

**Commonwealth of Dominica**

18. Calls for intensified EU support for Dominica's efforts to meet the challenges of coping with its present financial crisis and for its recovery programme;

**Cuba**

19. Welcomes the opening of the Commission office in Cuba with full delegation status as a significant step in relations between the EU and Cuba, an office which will be essential in preparing Cuban accession to the Cotonou Agreement;

20. Reiterates its support for the accession of Cuba to the ACP-EU Partnership Agreement and the establishment of normal political relations and cooperation between the EU and Cuba within this framework;

21. Stresses the importance of accession to the Agreement for the economic and social development of Cuba and the importance of the contribution which Cuba could make as a party to the Agreement;

22. Considers that the future signature by Cuba of the Cotonou Agreement constitutes a logical step forward from previous resolutions adopted by the ACP-EU Joint Parliamentary Assembly and once more expresses its support for Cuba's application to become a signatory to the Agreement, facilitating participation by Cuban MPs as full members of the ACP-EU Joint Parliamentary Assembly;

23. Calls on the ACP-EU Council of Ministers to guarantee fair and impartial consideration for Cuba's request for accession, without imposing any special or unfair conditions;

24. Condemns however the recent arrests of independent journalists and opponents by the Cuban authorities and calls for the immediate liberation of these persons, who are prisoners of conscience;

**General**

25. Considers that moves to develop intra-Caribbean cooperation, through Cariforum and other regional organisations, to be promoted by the EU through the partnership established by the Cotonou Agreement, are likely to bear fruit in all the areas of concern referred to in this resolution;

26. Insists that good account be taken in international trade negotiations, particularly on the Economic Partnership Agreements with the EU and in the WTO, of the special circumstances of small and vulnerable economies, and that special and differential treatment be considered as essential elements of these negotiations, including, where appropriate, the need for gradual phasing-in periods for any market adjustment measures;

27. Regards the simplification of European Development Fund procedures as vital and expects that the completion of the process of deconcentration will ensure the promised improvement in procedures and administration of the funds;

28. Requests European Commission assistance for the regional programme of action against drug trafficking;

29. Urges the governments in the region to combat drug trafficking and the consequent money laundering;
30. Calls on the European Commission to provide specific aid for electoral processes in the region;
31. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission and Caricom.

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

### on the situation in the Pacific region

*The ACP-EU Joint Parliamentary Assembly*

- meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,
  - recalling its previous resolutions on the Pacific region,
- A. whereas the Bureau of the Joint Parliamentary Assembly held a meeting in the Cook Islands from 9 to 11 September 2002,
  - B. whereas Bureau members had the opportunity to discuss issues of specific importance to the Pacific region, including tourism and transportation infrastructures, fisheries, immigration and information and communication technologies,
  - C. whereas Bureau members also attended a meeting of Pacific parliamentarians in the Fiji Islands, at which MPs from Pacific ACP countries were also present,
  - D. whereas the Government of Fiji hosted the third summit of ACP Heads of State and of Government from 16 to 19 July 2002 on behalf of the Pacific region,
  - E. whereas the Pacific region is preparing for EPA (Economic Partnership Agreement) trade negotiations with the EU to start after September 2003,
  - F. whereas these negotiations offer the Pacific region the opportunity to build upon existing trading relationships with the EU, thus helping to achieve their object of sustainable trade-related growth and development,
  - G. whereas organisations like the Pacific Regional Forum are moving towards establishing a Pacific free trade area, which would encourage economic growth and sustainable development in ACP countries in the region,

### On the situation in the Pacific region

1. Acknowledges the massive effort by the region and Fiji in particular in hosting the third summit of ACP Heads of State and of Government;
2. Notes that the hosting of the ACP-EU Joint Parliamentary Assembly Bureau meeting by the Cook Islands provided an excellent opportunity for Members of the European Parliament and their counterparts from the ACP countries to visit the region and understand at first hand the vulnerability of these island economies, the major problems regarding economies of scale and the very difficult agro-climatic conditions under which they are expected to survive in a globalised world;

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

3. Notes that tourism plays an important role in the development and sustainability of the majority of Pacific island economies;
4. Notes that Pacific islands are particularly vulnerable to changes in international tourism trends, and in particular the downturn in world tourism following a number of acts of international terrorism;
5. Believes that the Pacific ACP countries offer some of the safest destinations for tourism in the world today;
6. Believes that the development of ICT and the adoption of measures to strengthen the private sector, including fisheries and tourism, offer the best chance of long-term sustainability for Pacific countries;
7. Notes the importance of EPA negotiations to the ACP as a whole and believes that the successful conclusion of these negotiations offers the EU an opportunity to assist Pacific countries with their long-term development objectives;

#### **On the situation in the Fiji Islands**

8. Notes that the Prime Minister of Fiji has undertaken to abide by the court decision on the multi-party cabinet composition of the government in Fiji; it is expected that the case will be heard during 2003;
9. Notes that political and economic development in Fiji has improved significantly since the holding of general elections in August 2001, that the country's role in the hosting of several international meetings in Fiji has improved its image in the international community and that many of the participants in these conferences have given positive reports of developments in Fiji since the disturbances of May 2000;

#### **Conclusions**

10. Recommends that the JPA hold future Bureau meetings in ACP countries, giving priority to smaller ACP States that lack the capacity to host full JPA meetings;
  11. Calls on the Commission to work closely with regional organisations, including the South Pacific Tourism Organisation, to promote the Pacific as a clean and friendly tourist destination which remains relatively free from the threat of terrorism;
  12. Calls on the Commission to note the importance of ICT, tourism, fisheries and the private sector to the Pacific, and to support Pacific governments in the development of these sectors;
  13. Calls on the Commission to ensure that, in the context of the current EPA negotiations, the countries in this region are not forced into an arrangement that will place them in a more precarious position in terms of sustainable economic development than is now the case;
  14. Calls on the Commission to assist the Forum Secretariat and the University of the South Pacific to develop a capacity-building training programme available to all senior trade and economic advisers to the ACP countries of the region;
  15. Expresses its expectation that East Timor will accede to the Cotonou Partnership Agreement at the earliest possible date;
  16. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission and the Pacific Island Forum leaders.
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**RESOLUTION <sup>(1)</sup>****on the situation in the European Union**

*The ACP-EU Joint Parliamentary Assembly,*

— meeting in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003,

- A. noting that violent floods in Germany, Austria and central parts of Europe have caused the tragic loss of human lives and the destruction of houses, farms and transport, communication and energy infrastructure,
  - B. whereas large amounts of hazardous chemicals have been found in the flooded rivers due to flooding of chemical sites in the Czech Republic and in Germany, and risk contaminating agricultural land and the environment in general,
  - C. whereas this year large parts of the world and millions of people have suffered from either extreme floods or drought: floods in Central Europe, China, eastern China, Bangladesh and Nepal; drought in the north-west of the United States of America, the south-west of Canada, Southern Africa, Australia and western India,
  - D. whereas, owing to current human-induced climate change, there is a risk of further natural disasters on a similar or even larger scale unless strong action is taken to significantly reduce greenhouse gas emissions,
  - E. whereas certain sensitive areas along rivers and valleys have lost a part of their water-absorption capacity due to intensive agriculture and large infrastructure constructions along these valleys and rivers, and the ongoing straightening and deepening of rivers for navigation purposes have increased the risk of floods,
1. Expresses its sympathy in connection with the distress and damage caused to the flood victims in all the affected countries;
  2. Warmly welcomes the swift response of the Commission to the flooding in Austria, Germany and several applicant countries;
  3. Underlines the need for more action, particularly in the transport and energy sectors, to reduce CO<sub>2</sub> emissions by promoting energy saving and renewable sources;
  4. Calls on the Commission and the Member States to rapidly agree on EU and national measures to implement the targets agreed within the Kyoto Protocol, as a first step towards reducing greenhouse gases;
  5. Calls on the United States of America to join hands with the international community in fighting climate change and to ratify the Kyoto Protocol at the earliest opportunity;
  6. Calls on the Member States to adapt their policy and legislation towards reduced and sustainable land use, to maintain existing flood plains in their natural state or reconstruct former ones, to finance and promote restructuring measures in favour of eco-systems in rivers and valleys, to respect landscape and forests and to protect eco-systems in flood-sensitive areas of rivers and their valleys;
  7. Calls on the Member States to clean up their chemical sites and to ensure that they are protected against flooding, so as to avoid contamination of the environment;
  8. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council and the European Commission.

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<sup>(1)</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 3 April 2003 in Brazzaville (Republic of the Congo).

**Declaration of the ACP-EU Joint Parliamentary Assembly at its 5th session in Brazzaville (Republic of the Congo) from 31 March to 3 April 2003 on the war in Iraq**

Following an in-depth discussion, a large majority of members attending the 5th session of the ACP-EU Joint Parliamentary Assembly from 31 March to 3 April 2003 in Brazzaville (Republic of the Congo) considers the war against Iraq to be in breach of international law and to have a destabilising effect on the region as a whole, but a small minority strongly opposes this view. The majority of both ACP and EU members deeply regret the fact that the UN inspectors were not given more time to check for the possible presence of weapons of mass destruction in Iraq and, where necessary, to ensure their destruction.

Again, a large majority of members considers that, even though Saddam Hussein's regime shows utter contempt for human dignity, a war which brings death and suffering to large sections of the population, destroys vital infrastructure and has a devastating effect on the economy cannot be justified.

Concerned at the serious consequences of this war, the Joint Parliamentary Assembly, at its 5th session, calls for an immediate stop to the war and speedy reconstruction measures under a UN mandate, and welcomes the following statement made by the Co-Presidents on 31 March 2003:

'As this fifth session of the Joint Parliamentary Assembly begins, we are profoundly concerned by the war in Iraq, the many casualties and the massive destruction it has caused. We wish to commemorate those who have died and express our deepest sympathy with all those mourning the victims of the conflict.

The Joint Parliamentary Assembly hopes for a rapid end to hostilities.

The international community must, in the near future, meet the challenges involved in the reconstruction of Iraq. We welcome the United Nations Security Council's decision to reactivate the "Food for Oil" programme which could make a useful contribution to relieving the suffering of the Iraqi people.

On behalf of the Joint Parliamentary Assembly we appeal to the European Union and the ACP countries to play their full part in the future reconstruction of Iraq. This should be carried out under the aegis of the United Nations, in solidarity between peoples.'

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## ANNEX IV

## AMENDMENTS TO THE RULES OF PROCEDURE

## Article 2

**Bureau of the Assembly**

1. The Assembly shall elect a Bureau from among its members for a period of one year.
2. The Bureau shall consist of two Co-Presidents of equal status, and 24 Vice-Presidents. Half of the members of the Bureau shall be put forward by the representatives of the ACP States and half by the representatives of the European Parliament, in accordance with a procedure laid down by each of them.
3. The Bureau shall prepare the work of the Assembly, follow up the activities and resolutions of the Assembly and establish all necessary contacts with the ACP-EU Council of Ministers, hereinafter called 'the Council of Ministers' and the ACP-EU Committee of Ambassadors.
4. The Bureau shall be responsible for the coordination of the work of the Assembly.
5. The Bureau shall meet, on the initiative of the Co-Presidents, not less than twice a year, normally prior to the sessions of the Assembly.
6. The Bureau shall submit to the Assembly the proposed agenda for the debates. It shall be responsible for ensuring that, as far as possible, half the items on the agenda concern matters of common interest. It may propose a limitation of speaking time for debates.
7. The Bureau shall be responsible for monitoring the follow-up to resolutions and decisions of the Assembly. In the case of resolutions tabled by a standing parliamentary committee, it may delegate responsibility for monitoring the follow-up to the chairman and rapporteur of the standing parliamentary committee.

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6. The Bureau shall submit to the Assembly the proposed agenda for the debates. It shall be responsible for ensuring that, as far as possible, half the items on the agenda concern matters of common interest. It may propose a limitation of speaking time for debates.
7. ***The Bureau shall be the body responsible for matters relating to the composition and the responsibilities of the standing committees.***
8. ***The Bureau shall be the body responsible for authorising the standing committees to draw up reports and motions for resolutions.***
9. ***The Bureau may also refer matters for consideration by the standing committees, which may subsequently request to draw up a report on a particular topic.***
10. The Bureau shall be responsible for monitoring the follow-up to resolutions and decisions of the Assembly. In the case of resolutions tabled by a standing parliamentary committee, it may delegate responsibility for monitoring the follow-up to the chairman and rapporteur of the standing parliamentary committee.

<p>8. The meetings of the Bureau shall not be public.</p> <p style="text-align: center;"><i>Article 4</i></p> <p style="text-align: center;"><b>Observers</b></p> <p>1. In the event of the accession of another State to the Partnership Agreement and pending ratification of this Agreement by that State, a representative thereof may attend sessions of the Assembly as an observer. States which are members of the ACP Group may attend the Assembly as observers.</p> <p>2. Regional economic groupings of the ACP States, the European Economic and Social Committee and representatives of the ACP-EU economic and social partners and the other actors of civil society may send delegates to attend the sessions of the Assembly as observers. These delegates may also attend the regional or sub-regional parliamentary meetings of the Joint Parliamentary Assembly.</p> <p>The Technical Centre for Agricultural and Rural Cooperation (CTA) and the Centre for Development of Enterprises (CDE) may attend sessions of the Assembly.</p> <p>3. The Co-President may, with the agreement of the Bureau, invite other organisations or persons to attend sessions of the Assembly, regional or sub-regional parliamentary meetings <b>and meetings of standing parliamentary committees</b> as observers.</p> <p>4. Observers shall not have the right to vote. They may address the session with the agreement of the Assembly.</p>	<p>11. The meetings of the Bureau shall not be public.</p> <p style="text-align: center;"><i>Article 4</i></p> <p style="text-align: center;"><b>Observers</b></p> <p>1. In the event of the accession of another State to the Partnership Agreement and pending ratification of this Agreement by that State, a representative thereof may attend sessions of the Assembly as an observer. States which are members of the ACP Group may attend the Assembly as observers.</p> <p>2. Regional economic groupings of the ACP States, the European Economic and Social Committee and representatives of the ACP-EU economic and social partners and the other actors of civil society may send delegates to attend the sessions of the Assembly as observers. These delegates may also attend the <b>meetings of the standing committees and the</b> regional or sub-regional parliamentary meetings of the Joint Parliamentary Assembly.</p> <p>The Technical Centre for Agricultural and Rural Cooperation (CTA) and the Centre for Development of Enterprises (CDE) may attend sessions of the Assembly.</p> <p>3. The Co-President may, with the agreement of the Bureau, invite other organisations or persons to attend sessions of the Assembly, <b>meetings of the standing committees and</b> regional or sub-regional parliamentary meetings as observers.</p> <p>4. Observers shall not have the right to vote. They may address the session with the agreement of the Assembly.</p>
<p style="text-align: center;"><i>Article 7</i></p> <p style="text-align: center;"><b>General report and general rapporteur</b></p> <p>1. <b>The Assembly shall appoint a general rapporteur annually. The general rapporteur shall be appointed by the ACP groups and EP members alternately.</b></p> <p>2. <b>The appointment of the general rapporteur shall be conducted in accordance with a clear procedure defined by the ACP group and the EP members respectively, taking into account the composition, the level of representation and the minority views of the members of the Assembly.</b></p>	<p style="text-align: center;"><b>(deleted)</b></p>



## Article 8

**Agenda**

1. The Bureau shall prepare the draft agenda of the session. The Co-Presidents shall submit this draft to the Assembly for its approval.

The draft agenda of each session shall include two categories of topics:

- i) *Subjects relating to the situation in different countries or regions, which shall be placed in a regional context. Exceptionally the situation in a particular country may be treated on its own.*
- ii) *Subjects and themes relating to development cooperation between the EU and ACP countries under the Partnership Agreement.*

*The subjects and themes contained in this list shall be debated and put to the vote. The resolutions to be put to the vote should have a regional character.*

2. *A committee of coordinators may propose to the Bureau a list of urgent subjects regarding the situation in different countries or regions to be included in the agenda in accordance with paragraph 1.*

## Article 7

**Agenda**

1. The Bureau shall prepare the draft agenda of the session. The Co-Presidents shall submit this draft to the Assembly for its approval. ***Subjects shall relate to development cooperation between the European Union and the ACP States in the framework of the partnership agreement.***

The draft agenda of each session shall include two categories of topics:

- i) ***Reports submitted by the standing committees. These will be limited to three per session.***
- ii) ***Urgent topics, proposed by a standing committee or submitted by the Bureau itself. Urgent topics shall only be included on an exceptional basis and may not exceed two per session.***

2. ***On urgent topics, a motion for a resolution may be tabled by a representative of the ACP States, a political group or ten members. Motions for resolutions must be limited to the urgent topics entered on the agenda for the session and may not exceed 800 words. Motions for resolutions must be tabled four weeks prior to the opening of the session at which they are to be debated and voted on.***

3. ***Motions for resolutions on urgent topics shall be submitted to the Bureau. The Bureau shall check that each motion for a resolution meets the criteria set out in the previous paragraph, is entered on the agenda and is available in English and French. The Bureau's proposals shall be submitted to the Assembly for approval.***

4. ***The Bureau shall forward, for information, the motions for resolutions on urgent topics to the committee responsible.***

	<p>Article 14.3</p> <p>3. For Members of the European Parliament, speaking time will be allocated according to the d'Hondt system.</p>
	(deleted)
	<p>Article 15.7</p> <p>7. Any request tabled in accordance with paragraphs 3, 4 and 6 of this article will belong to its author and accordingly may be withdrawn at any time before the vote.</p>
<p>Article 18</p> <p>Assembly resolutions</p> <p>1. The Bureau shall draw up a list of no more than five topics relating to development cooperation between the EU and ACP countries under the Partnership Agreement, which shall be included in the draft agenda in accordance with Article 8 of these Rules.</p> <p>2. A representative of the ACP States, a political group or ten members may table a motion for a resolution on a subject covered by the Partnership Agreement. However, motions for resolutions shall be limited to the subjects that are included in the agenda for the session and shall be no more than 800 words long. Motions for resolutions shall be tabled four weeks before the opening of the session in which they are to be discussed and voted on.</p> <p>3. Motions for resolutions shall be submitted to the Bureau. The Bureau shall verify that each motion for a resolution fulfils the requirements of the preceding paragraph, is included on the agenda and is available in English and French. The Bureau's proposals shall be submitted to the Assembly for its approval.</p> <p>4. The Bureau shall refer to the respective rapporteurs motions for resolutions on matters related to the general report or the powers of the parliamentary committees.</p>	<p>Article 17</p> <p>Assembly resolutions</p> <p>1. The Assembly shall vote on motions for resolutions included in reports submitted by the standing committees, in accordance with Article 7.</p> <p>2. The Assembly shall also vote on any motions for resolutions on urgent topics, in accordance with Article 7.</p> <p>3. The acting President shall invite the authors of any motions for resolutions on a similar urgent topic to draw up a compromise motion. At the end of the debate, each compromise motion for a resolution and the amendments thereto shall be put to the vote in the Assembly. Once a compromise motion for a resolution has been adopted, all other motions tabled on the same topic shall fall.</p> <p>(deleted)</p>

5. *The President shall invite the authors of resolutions on the same topic to draw up a compromise resolution. Following a debate, each compromise resolution and any amendments to it shall be put to the vote in the Assembly. If a compromise resolution has been approved, all the other resolutions on the same topic fall.*

(deleted)

6. *Motions for resolutions on fundamental freedoms and individual human rights cases shall be examined according to specific rules of procedure drawn up by the Bureau.*

(deleted)

7. Resolutions adopted by the Assembly shall be forwarded to the Commission and the Council of Ministers and to any other interested parties. The Commission and the Council of Ministers will report on follow-up to adopted resolutions at the next session of the Assembly.

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#### Article 25

#### Article 24

##### Standing parliamentary committees

##### Standing parliamentary committees

1. The Assembly shall set up three standing parliamentary committees responsible for the following areas in the context of the implementation of the Partnership Agreement:

- promoting democratic processes through dialogue and consultation,
- economic, financial and trade matters and implementation of the European Development Fund,
- social and environmental issues.

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- promoting democratic processes through dialogue and consultation,
- economic, financial and trade matters and implementation of the European Development Fund,
- social and environmental issues.

2. In line with the general arrangements for the functioning of the Assembly, **the standing parliamentary committees shall be composed and shall function in a strictly joint manner.**

2. In line with the general arrangements for the functioning of the Assembly, the standing parliamentary committees shall be composed **of members of the Joint Parliamentary Assembly**, in accordance with Article 1, and shall function in a strictly joint manner.

3. The rules of procedure of the standing parliamentary committees shall be adopted by the Assembly on a proposal from the Bureau.

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## ANNEX I

**Powers, responsibilities, membership and procedures of standing committees***Article 1*

There shall be three standing parliamentary committees with the following powers and responsibilities:

**I. Committee on Political Affairs**

This committee is responsible for matters relating to:

1. Political dialogue (Article 8 of the ACP-EU Partnership Agreement) **and institutional** development;
2. Respect for and promotion of human rights, democracy and good governance (Article 9 of the ACP-EU Partnership Agreement);
3. Peace-building policies, conflict prevention and resolution (Article 11 of the ACP-EU Partnership Agreement);
4. Issues concerning migration (Article 13 of the ACP-EU Partnership Agreement);
5. Assembly relations with relevant international organisations.

This committee will coordinate the work of fact-finding missions, including those sent to monitor elections, according to Article 28 of the Rules of Procedure of the Assembly.

**II. Committee on Economic Development, Finance and Trade**

This committee is responsible for matters relating to:

1. Economic development and trade cooperation, as well as capacity-building for development and partnership;
2. Macroeconomic and structural reforms, economic sector development and tourism (Articles 22-24 of the ACP-EU Partnership Agreement);
3. New ACP-EC trading arrangements, market access and the gradual integration of ACP States into the world economy (Articles 34-37 of the ACP-EU Partnership Agreement);
4. Trade and labour standards (Article 50 of the ACP-EU Partnership Agreement);
5. Rural development, fisheries and food security (Article 53 and 54 of the ACP-EU Partnership Agreement);

## ANNEX I

**Powers, responsibilities, membership and procedures of standing committees***Article 1*

There shall be three standing parliamentary committees with the following powers and responsibilities:

**I. Committee on Political Affairs**

This committee is responsible for matters relating to:

1. Political dialogue (Article 8 of the ACP-EU Partnership Agreement), development **and institutional matters**;
2. Respect for and promotion of human rights, democracy and good governance (Article 9 of the ACP-EU Partnership Agreement);
3. Peace-building policies, conflict prevention and resolution (Article 11 of the ACP-EU Partnership Agreement);
4. Issues concerning migration (Article 13 of the ACP-EU Partnership Agreement);
5. Assembly relations with relevant international organisations.

This committee will coordinate the work of fact-finding missions, including those sent to monitor elections, according to Article 28 of the Rules of Procedure of the Assembly.

**II. Committee on Economic Development, Finance and Trade**

This committee is responsible for matters relating to:

1. Economic development and trade cooperation, as well as capacity-building for development and partnership;
2. Macroeconomic and structural reforms, economic sector development and tourism (Articles 22-24 of the ACP-EU Partnership Agreement);
3. New ACP-EC trading arrangements, market access and the gradual integration of ACP States into the world economy (Articles 34-37 of the ACP-EU Partnership Agreement);
4. Trade and labour standards (Article 50 of the ACP-EU Partnership Agreement);
5. Rural development, fisheries and food security (Article 53 and 54 of the ACP-EU Partnership Agreement);

<p>6. All issues concerning development finance cooperation including follow-up of the implementation of the European Development Fund.</p>	<p>6. All issues concerning development finance cooperation including follow-up of the implementation of the European Development Fund.</p>
<p><b>III. Committee on Social Affairs and the Environment</b></p>	<p><b>III. Committee on Social Affairs and the Environment</b></p>
<p>This committee is responsible for matters relating to:</p>	<p>This committee is responsible for matters relating to:</p>
<ol style="list-style-type: none"> <li>1. Social and human development;</li> <li>2. Social infrastructure and services, including health and education issues (Article 25 of the ACP-EU Partnership Agreement);</li> <li>3. Youth and cultural issues (Articles 26 and 27 of the ACP-EU Partnership Agreement);</li> <li>4. Gender issues (Article 31 of the ACP-EU Partnership Agreement);</li> <li>5. Environment and natural resources (Article 32 of the ACP-EU Partnership Agreement).</li> </ol>	<ol style="list-style-type: none"> <li>1. Social and human development;</li> <li>2. Social infrastructure and services, including health and education issues (Article 25 of the ACP-EU Partnership Agreement);</li> <li>3. Youth and cultural issues (Articles 26 and 27 of the ACP-EU Partnership Agreement);</li> <li>4. Gender issues (Article 31 of the ACP-EU Partnership Agreement);</li> <li>5. Environment and natural resources (Article 32 of the ACP-EU Partnership Agreement).</li> </ol>
<p><i>Article 2</i></p>	<p><i>Article 2</i></p>
<ol style="list-style-type: none"> <li>1. Each member of the Assembly will have the right to be a member of one of the standing committees.</li> <li>2. Two of the committees shall be composed of 52 members and one of 50 members and shall consist of equal numbers of, on the one hand, Members of the European Parliament and, on the other, members of Parliament representing the ACP countries. Should the number of ACP countries increase, the number of places on the standing committees will increase pro rata.</li> <li>3. Members may also attend meetings of committees to which they do not belong in an advisory capacity or if the subject under discussion covers their country or region, if invited by the Committee Bureau.</li> <li>4. The participation of representatives who are not members of a Parliament shall only be allowed if the subject under discussion covers their country, but they will not have the right to vote.</li> <li>5. Unless a committee decides otherwise, all meetings are public.</li> </ol>	<ol style="list-style-type: none"> <li>1. Each member of the Assembly will have the right to be a member of one of the standing committees.</li> <li>2. Two of the committees shall be composed of 52 members and one of 50 members and shall consist of equal numbers of, on the one hand, Members of the European Parliament and, on the other, members of Parliament representing the ACP countries. Should the number of ACP countries increase, the number of places on the standing committees will increase pro rata.</li> <li>3. Members may also attend meetings of committees to which they do not belong in an advisory capacity or if the subject under discussion covers their country or region, if invited by the Committee Bureau.</li> <li>4. The participation of representatives who are not members of a Parliament shall only be allowed if the subject under discussion covers their country, but they will not have the right to vote.</li> <li>5. Unless a committee decides otherwise, all meetings are public.</li> </ol>
<p><i>Article 3</i></p>	<p><i>Article 3</i></p>
<ol style="list-style-type: none"> <li>1. The composition of the committees shall, as far as possible, reflect the composition of the Assembly.</li> </ol>	<ol style="list-style-type: none"> <li>1. The composition of the committees shall, as far as possible, reflect the composition of the Assembly.</li> </ol>

2. The committees shall elect a Committee Bureau among its members for a period of one year.

3. The Committee Bureau shall consist of two co-chairmen (one representative of the European Parliament and one representative of the ACP countries) and **two** co-vice-chairmen (**one representative** of the ACP countries and **one representative** of the European Parliament).

4. The committees shall be jointly chaired by a member of the European Parliament and by a member of a Parliament representing an ACP country.

5. The committees may appoint rapporteurs to examine specific questions within their competence and prepare reports **and resolutions** to be submitted to the Assembly.

6. The committees shall report to the Assembly on their activities.

*Article 4*

1. Committees shall meet when convened by their co-chairs and for a maximum of four sessions per year, two of them during the session of the Assembly.

2. Any member may table amendments for consideration in committee. As far as the procedure is concerned, Articles 3 (attendance of other institutions), 4 (observers), 9 (quorum), 10 (presidency of sittings), 16 (right to vote and methods of voting) and 29 (consultation with civil society) of the Rules of Procedure of the Assembly shall apply *mutatis mutandis* to committee meetings.

2. The committees shall elect a Committee Bureau among its members for a period of one year.

3. The Committee Bureau shall consist of two co-chairmen (one representative of the European Parliament and one representative of the ACP countries) and **four** co-vice-chairmen (**two representatives** of the ACP countries and **two representatives** of the European Parliament).

4. The committees shall be jointly chaired by a member of the European Parliament and by a member of a Parliament representing an ACP country.

5. The committees may appoint rapporteurs to examine specific questions within their competence and prepare reports to be submitted to the Assembly, **subject to authorisation from the Bureau, in accordance with Article 2 of the Rules of Procedure.**

***Motions for resolutions contained in reports may be accompanied by an explanatory statement, which shall not exceed four pages.***

6. ***The standing committees may discuss other agenda items without report and advise the Bureau in writing that the said items were discussed.***

7. ***Committees shall also contribute to the dialogue with non-state actors, in accordance with Article 17(3) of the Partnership Agreement, in particular by means of hearings.***

8. The committees shall report to the Assembly on their activities.

*Article 4*

1. Committees shall meet when convened by their co-chairs and for a maximum of four sessions per year, two of them during the session of the Assembly.

2. Any member may table amendments for consideration in committee. As far as the procedure is concerned, Articles 3 (attendance of other institutions), 4 (observers), 9 (quorum), 10 (presidency of sittings), 16 (right to vote and methods of voting) and 29 (consultation with civil society) of the Rules of Procedure of the Assembly shall apply *mutatis mutandis* to committee meetings.